THE WORKS

OF

HUBERT HOWE BANCROFT

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HUBERT HOWE BANCROFT

VOLUME XVI

HISTORY OF THE

NORTH MEXICAN STATES AND TEXAS

VOL. II 1801—1889

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HISTORY

OF THE

NORTH MEXICAN STATES AND TEXAS.

CHAPTER I.

TEXAS CLAIMED BY THE UNITED STATES.

1800–1810.

INTERNAL CONDITION OF TEXAS—SOCIETY AT SAN ANTONIA DE BÉJAR—COLONEL PIKE—THE PROVINCIAL GOVERNMENT—NOLAN'S INROAD—HIS DEFEAT AND DEATH—GAMBLING FOR LIFE—BEAN'S BIOGRAPHY—SALE OF LOUISIANA TO THE UNITED STATES—THE BOUNDARY DISPUTE—PRETENSIONS OF THE UNITED STATES—PREPARATIONS FOR HOSTILITIES—THE SPANISH TROOPS CROSS THE SABINE—GENERAL WILKINSON TAKES THE FIELD—THE SPANISH RETIRE—WILKINSON MARCHES TO THE SABINE—A BLOODLESS CAMPAIGN—THE NEUTRAL-GROUND CONVENTION—IMPROVED CONDITION OF TEXAS—DESPERADOES OCCUPY THE NEUTRAL GROUND—THEIR ORGANIZATION.

WITH the opening of the nineteenth century Texas began to emerge from that slough of stagnation in which she had been so long buried. Henceforth she became an object of attention and a field of strife, until finally she rose to the dignity of an independent republic. But her elevation was not due to internal development. It was the effect of external influences and the advent of another race of men; the Anglo-American element gained for her a name in the history of the New World.

What the population of Texas was at the beginning of this century cannot be definitely ascertained, but according to reports published by the Tribunal del

Consulado, it was estimated to be about 21,000 in 1805, its area being a little over 7,000 square leagues.[1] Major Pike, who passed through the province in 1807, says: "The population of Texas may be estimated at 7,000. These are principally Spanish creoles, some French, some Americans, and a few civilized Indians and half-breeds."[2] But this number did not include the wild Indian tribes. It was, indeed, a desolate country. The only settlements of any importance were San Antonio de Béjar, with about 2,000 inhabitants; La Bahía del Espiritu Santo—now Goliad—about 1,400;[3] and Nacogdoches, with 500 inhabitants. Scattered in the interior were a few military stations, and here and there a mission still existed,[4] round which were settled a few miserable Indian proselytes. What little trade there was, was carried on with Mexico by way of Monterey and Monclova, and with New Orleans through Natchitoches, the latter being contraband; nor was it until 1806 that Texas was allowed a port, when the Bahía de San Bernardo was opened as a puerto menor by royal order of September 28, 1805.[5] The exchange for merchandise was specie, horses, and mules.

[1] *Soc. Mex. Geog.*, ii. 20.

[2] *Exped.*, ap., part iii. 33. The author of the pamphlet *Pretensiones de los Anglo-Americanos*, Mexico, 1820, pp. 7—and who was probably the governor Cordero, since, while speaking of affairs in Texas in 1806, he says, 'Yo mandaba entonces la frontera.'—states on page 3 that the Americans assigned less than 6,000 inhabitants to the three settlements of San Antonio, La Bahía, and Nacogdoches, and their districts. *Pap. Var.*, 157, no. 4. Fernando Navarro y Noriega gives 3,334 as the number of inhabitants under the government of Texas in 1810. *Soc. Mex. Geog.*, vii. 138. Arispe, *Mem. Coah.*, 12, in *Pamphlets*, i., gives 7,000 as the number in 1811.

[3] Almonte gives these for the year 1806. *Not. Estad. Tej.*, 25.

[4] Cancelada supplies the following list for 1811: Around the capital San Fernando: Mission of la Concepcion, distant 1 l.; San José de Agayo, 1 l.; San Antonio de Béjar, 2½ l.; San Juan Capistrano, 3½ l.; San Francisco de la Espada, 4 l Around the Presidio of Espirito Santo: Mission of the Rosario, distant 1½ l.; Refugio, 12 l. There were also 16 ranchos, 'que sin dexar de obedecer á las Antoridades no viven en continua sociedad.' The total population of all these places is given as 4,000 of both sexes; that of the wild Indian tribes as over 14,000. *Ruina de N. Esp.*, 41. Arispe mentions only four missions as existing in the above-named year; namely, San José, de la Espada, San Bernardo, and el Refugio. *Mem. Coah.*, in *Pamphlets*, i. 11. In 1812 the missions were suppressed by the Spanish government, and the Indians dispersed. *Shea, Hist. Cath. Mis.*, 87.

[5] *Disposic. Var.*, i. f. 132.

Most of the inhabitants, even those in the capital, San Antonio, were of roaming inclinations, induced by love of the chase. The buffalo and wild horse abounded in great numbers, and the pursuit of them was a source of both pleasure and profit. The governor, Antonio Cordero—who succeeded Juan Bautista Guazabal in 1806—checked, however, in some degree this disposition to lead a wandering life, and compelled attention to agriculture.[6] Yet in this small, rough community there was not wanting somewhat of the amenities, and even refinement, of civilized society. This was to be found among the Spanish residents,

[6] By restricting the buffalo hunts to certain seasons, and obliging every man of family to cultivate so many acres of land. *Pike's Exp.*, ap., part iii. 34. This writer, Major Zebulon Montgomery Pike, of the 6th regiment of the U. S. infantry, was commissioned under instructions of Pres. Jefferson to explore the sources of the Mississippi, in which undertaking he was engaged from August 1805 to April 1806. In July of the latter year he was sent by Gen. Wilkinson to explore the Arkansas and Red rivers, his party consisting of 23 persons. The commandant of Nacogdoches became informed of the projected expedition while Pike was making his preparations at St Louis, and a strong force of 100 dragoons and 500 mounted militia was sent by the government at the Mexican capital to intercept him. Pike, however, had got lost, and was undiscovered by the Spanish troops, though they descended the Red River 600 miles. Meantime the explorer had made his way to the Rio Grande, where he and his party were taken by the authorities of New Mexico and conducted to Santa Fé. He was thence sent to Chihuahua, where Nemesio Salcedo, the captain-general of the provincias internas, resided. After an investigation into the object of his expedition and some detention, he was sent with a portion of his party to Natchitoches, in Louisiana, then in possession of the U. S. On his arrival in the U. S. he published, in the form of a journal, an account of his expeditions, under the title: *An Account of Expeditions to the Sources of the Mississippi, and through the Western Parts of Louisiana to the Sources of the Arkansaw, Kans, La Platte, and Pierre Jaun Rivers; performed by order of the Government of the United States during the years 1805, 1806, and 1807. And a Tour through the Interior Parts of New Spain, when conducted through these provinces by order of the Captain-General in the year 1807.* Philadelphia, 1810. 8vo, pp. 277, with 3 appendices, pp. 65, 52, 87. Tables. This work was reprinted in London in 1811, in 4to, pp. 436, under the title: *Exploratory Travels through the Western Territories of North America*, etc. It was also translated into French in 1811 by M. Bresson, 2 vols, 8vo; and into Dutch at Amsterdam in 1812, 2 vols, 8vo. Pike gives a good description of the countries through which he journeyed, and their resources, as well as of the manners, morals, and customs of their inhabitants. With regard to New Spain, he appears to have been somewhat partial, owing to the kindness and hospitality which he received from the people. He says: 'Those reasons have induced me to omit many transactions, and draw a veil over various habits and customs which might appear in an unfavorable point of view, at the same time that I have dwelt with delight on their virtues.' Pike was born at Lamberton, N. J., Jan. 5, 1779; in 1813 he was made brigadier-general, and appointed to command the land forces in the expedition against York—now Toronto. On April 27th he attacked the place, and after carrying one battery, was mortally wounded by the explosion of the British magazine.

many of whom had come from leading cities in Spain, or from the viceregal court; and though most of the inhabitants of San Antonio dwelt in miserable houses, with mud walls and grass-thatched roofs, the upper class enlivened social intercourse by dinner-parties and balls, at which refinement of manners was noticeable, and cheerful, bright conversation gladdened the entertainments.[7] The example of this class was not without effect. A degree of politeness was infused into the creoles and half-breeds, modifying the tendency to ruffian bearing and coarseness, which are the products of a wild frontier life and isolation from the world.

The province of Texas, as also that of Coahuila, was subject to the government of the commandant general of the provincias internas, who resided at Chihuahua, and whose powers were independent of the viceroy. Each province was ruled by a military and political governor, who by his delegated powers had cognizance of all causes, being dependent, as regards military matters, on the commandant general. In fiscal affairs he was subject to the intendant at San Luis Potosí, with recourse to the supreme council of finance at the city of Mexico. In regard to his administration of justice, appeals could be made only to the audiencia of Nueva Galicia.[8] The consequences of this arrangement are self-evident. So great were the distances of the places where appeals could be made that recourse to these could be had but by few persons; and as the magistrates—generally military men—had no legal adviser, justice could not be properly administered even under the best disposed governor, while the system afforded every opportunity for the exercise of tyranny. In ecclesiastical matters

[7] Pike regarded San Antonio as one of the most delightful places that he visited in the Spanish provinces. *Id.*, ap., part iii. 34.

[8] *Arispe, Mem. Coah.*, 9, in *Pamphlets*, i. In 1803 Juan Bautista Guazabel was appointed governor of Texas, succeeded in 1806 by Antonia Cordero, who had previously been governor of Coahuila. Pike says of this latter province: 'Military and ecclesiastical power is all that is known or acknowledged. . .The governor's civil salary is 4,000 dollars per annum.' *Exped.*, ap., part iii. 29.

the same difficulty presented itself, questions that arose having to be referred to the episcopal chair in Nuevo Leon.[9]

But the time had approached when the first indications of a distant influence that was to bear on the future destiny of Texas were manifested. The spirit of adventure which led Daniel Boone into the wilderness of Kentucky was abroad on the margins of those unknown lands that lay beyond the frontier settlements of the United States, and the Anglo-American race was pushing westward and southward. Bold, restless men, impelled by the fascination of wild adventure, made their way into new regions, reckless of danger and hardships. As the settlers in their onward course approached the Spanish possessions, it was not likely that these would long remain a closed garden of Hesperides to such spirits. The uncompromising exclusion of foreigners only served as an incentive,[10] and before the close of the eighteenth century Americans had entered Texas and gained a foothold. The contraband trade carried on with New Orleans, and connived at by the Spanish authorities, opened a gateway to these intruders.

Probably the first of these adventurers was Philip Nolan, an Irishman by birth, who was engaged in this illegal trade between San Antonio and Natchez as early as 1785. Whether it was that this traffic did not yield profits large enough or quickly enough, under the exactions imposed upon it, or whether Nolan really had the secret intention of making discoveries in reputed gold-bearing regions in Texas, as

[9] *Arispe, Mem. Coah.*, 9, et seq., in *Pamphlets*, no. i. As this is an official report to the king by the deputy to the Spanish córtes from Coahuila, it may be regarded as affording a true representation of the government of these provinces and real grievances. The writer makes suggestions as to what ought to be done for the better administration of them, such as the establishment of juntas, courts of appeal, etc.

[10] All foreigners found on Spanish territory unprovided with passports were arrested and thrown into prison, where they often lingered for years. Especial rigor was observed toward American citizens.

some writers allege,[11] is not certain; but in 1800[12] he organized an armed expedition at Natchez, ostensibly for the purpose of capturing wild horses in Texas. The adventurers, twenty-one in number including their leader, crossed the Mississippi at Nogales—Walnut Hills—and having advanced forty miles in the direction of the Washita, they fell in with a patrol of fifty Spanish horsemen sent from the fort on the river to intercept them. The determined bearing of Nolan and his followers, however, deterred them from attacking him, and he proceeded without interruption. Avoiding Fort Washita, the party crossed Red River, and continuing their westward course passed the Trinity, and reached the Brazos, spending much time in hunting. On their arrival at the Brazos they erected an enclosure, and penned about 300 wild horses. By invitation of the Comanches they visited the Indian chief Necoroco, whose village was situated at the south fork of the Red River, where they remained a month. After their return to camp they were attacked, March 21,[13] 1801, by a troop of 150 Spaniards sent against them by Salcedo and commanded by Lieutenant Musquiz.[14] Nolan's outpost of six men—one American and five Spaniards—was captured before daylight, and as soon as morning

[11] 'Estimulados'—i. e., Nolan and his followers—'de las noticias de haber en las montañas de la provincia de Tejas, muchas y abundantes minas de ora y plata.' *Filisola, Mem. Hist. Guerra Tejas*, i. 39. Kennedy says it was supposed that the leader of the expedition cherished the secret intention of making discoveries in the reputed gold regions of the Comanches. *Texas*, i. 237.

[12] Kennedy, relying upon a manuscript supplied him by Lamar, president of Texas, gives the date 1789, 'or thereabouts.' Filisola also assigns that year to the expedition; but Ellis P. Bean, who accompanied Nolan, and wrote a full account of the expedition and his own subsequent acts, distinctly states that the adventurers left Natchez in October 1800. Yoakum supplies a revised copy of Bean's narrative in appendix no. ii. *Hist. Tex.*, i. 403–4.

[13] According to the diary of Musquiz, translated and published in the *Texas Almanac*, Sept. 1868, 60–4.

[14] Bean states that the party at this time numbered only 18, three of the company having been lost at the beginning of the journey while out hunting. Nolan's force at starting comprised 14 Americans, 5 Mexicans, and one negro. The lost men made their way back to Natchez. *Bean's Mem.*, in *Yoakum's Hist. Tex.*, 405, 407. Musquiz, however, says that there were '14 Americans, 1 creole of Louisiana, 7 Spaniards or Mexicans, and 2 negro slaves at the log pen when he attacked it.' *Texas Almanac*, Sept. 1868, 62.

dawned the Spaniards opened fire with grape from a swivel-gun upon the remaining twelve, who were inside an enclosure of logs, which had been built as a protection against Indians. Nolan fell early in the contest, shot through the head.[15] Bean then took command, and the fight was continued for some time longer, two of the Americans being wounded and one killed. At nine o'clock the besieged effected their retreat to a neighboring ravine, where they stubbornly defended themselves till two in the afternoon, when the Mexicans hoisted a white flag. A parley followed, and the Americans' ammunition having failed, a treaty was made, by which it was agreed that the Americans should be sent back to their own country; that both parties should proceed to Nacogdoches in company; and that the Americans should not be regarded as prisoners, but should retain their arms. On their arrival at Nacogdoches, however, they were detained a month waiting for Salcedo's order for their return to the United States. His instructions, when they arrived, were the reverse of those hoped for; the adventurers were heavily ironed and sent to San Antonio; thence to San Luis Potosí, where they languished in prison sixteen months. From this city they were removed to Chihuahua and tried, their cases being referred to the crown. After five years of anxious waiting the king's decision arrived. Every fifth man was to be hanged. As the survivors at this time were only nine in number, a single life was deemed sufficient to meet the stern requirement of the royal sentence. The unfortunate captives were made to throw dice blindfolded on a drum-head. He who threw the lowest number was to suffer, and Bean, the author of the narrative from which the above account is taken, cast the lowest but one. On

[15] Nolan was killed by a cannon-ball, the Mexican troops having brought up a mountain gun on muleback. After the surrender, the negroes asked permission to bury their leader, which was granted 'after causing his ears to be cut off, in order to send them to the governor of Texas.' *Id.*, 63.

the following day the victim was executed in the presence of his more fortunate comrades.[16]

Such was the result of the first inroad by Americans into Spanish territory in which the invaders sought to sustain themselves by force of arms. Meantime other Americans had effected a peaceful entrance into this forbidden land, and had settled along the

[16] The nine who cast lots, according to Bean, were: E. P. Bean, David Fero, Tony Waters, Thomas House, Charles King, Robert Ashley, Joseph Reed, the negro Cæsar, and one whose name is not given by Bean. Thrall, without quoting any authority, says the lot fell on Ephraim Blackburn: *Pict. Hist. Tex.*, 107. Bean, after numerous attempts to escape, which always resulted in his recapture and imprisonment, was offered his liberty when a revolution was in progress in 1811–12, if he would enlist in the royal army. To this he consented, but on the first opportunity he deserted and joined Morelos, under whom he fought with distinction, and was in command of the troops that captured Acapulco. In 1814 Bean was sent as republican agent to the U. S., and took part in the battle of New Orleans. Being well known to General Jackson, the command of a battery was given to him in this engagement. Concluding that war-time was unpropitious to the Mexican cause in the U. S., Bean returned to Mexico, but in the following year went back in company with Herrera. He again returned to Mexico some time afterward, to find the independent cause all but lost. During his stay in that country on this occasion, he married Anna Gorthas, a Mexican whose family, once wealthy, had been impoverished by the war. In 1818 he visited Tennessee and spent some time at the place of his birth. He finally settled in Texas as a colonist, and remained there many years. After the termination of the Mexican revolution his wife recovered her property, and the last years of his adventurous life were passed in peace on her estate near Jalapa. Bean was born in 1783 and died Oct. 3, 1846. *Mem.*, in *Yoakum's Hist. Tex.*, i. 415–52; *Thrall's Pict. Hist. Tex.*, 499–500. Kennedy's account of this expedition is greatly at variance with Bean's narrative. He states that after Nolan's death his followers surrendered at discretion, and were taken to Chihuahua, where with few exceptions they were shot. House and Ashley effected their escape, Bean was pardoned on account of his youth, and Stephen Richards—not mentioned by Bean—was compelled to enter the Spanish army. *Texas*, i. 238. Thrall's statements are equally contradictory. *Ut sup.*, 106–7. According to the *Texas Almanac*, Sept. 1868, 63–4, the following is the list of those who were destined to draw for the death-lot: Luciano García, Jonah Walters, Solomon Cooley, Ellis Bean, Joseph Reed, William Danlin, Charles King, Joseph Pierce, Ephraim Blackburn, and David Fero. But Pierce having died before the royal decree—that each fifth man should be hanged—could be carried into execution, the presiding judge, with commendable mercy, decided that one victim would be sufficient. According to the report of the adjutant inspector, the lots drawn were the following, each gambler for his life throwing in precedence according to his age: 'Blackburn, 3 and 1, making 4; Garcia, 3 and 4, making 7; Reed, 6 and 5, making 11; Fero, 5 and 3, making 8; Cooley, 6 and 5, making 11; Walters, 6 and 1, making 7; King, 4 and 3, making 7; Bean, 4 and 1, making 5; Danlin, 5 and 2, making 7.' Ephraim Blackburn, having thrown the smallest number, was hanged at the Plaza de los Urangas in the town of Chihuahua, on the 11th of November, 1807. 'The diary kept by Nolan and many of his letters, which are in my possession'—J. A. Quintero—'show conclusively that he was not only a gallant and intelligent gentleman, but an accomplished scholar. He was thoroughly acquainted with astronomy and geography. He made the first map of Texas, which he presented to the Baron de Carondelet on returning from his first trip.

San Antonio road, on both sides of Nacogdoches. Among these may be mentioned Captain Dill and his son-in-law, Joseph Darst, Samuel Davenport, and Robert Barr, all of whom established themselves in Texas at the close of the last century or in 1800.[17] This privilege had only been obtained by swearing allegiance to the Spanish king. Hitherto neither these settlements nor Nolan's inroad had any political significance; they were merely the results of private enterprise; but the time was close at hand when throughout the United States attention was drawn to this unknown country. The causes of this were the sale of Louisiana to the government at Washington—which involved a dispute with Spain as to the ownership of Texas—and Aaron Burr's conspiracy to invade and revolutionize Mexico, exciting thereby a wide-spread interest in this border province.

When France, in November 1762, ceded Louisiana to Spain in order to prevent it falling into the hands of the English, the western boundary line between the Spanish and English possessions in North America was clearly defined by the treaty concluded in the following February.[18] But in October 1800 Spain ceded back the territory to France in exchange for Tuscany, on the understanding that its extent should be the same as it had been during the former possession of it by that nation. The boundary line, however, between Louisiana and Texas had never been definitely settled, though Spain had always claimed that Red River, or rather its tributary Arroyo Hondo,

[17] Barr and Davenport had a settlement two miles east of the Angelina, and later established a large cattle-ranch east of the Trinity. *Yoakum, ut sup.*, 136–7; *Thrall, ut sup.*, 686.

[18] The treaty was signed at Paris, between the kings of Spain and of France on the one side, and the king of Great Britain on the other. In art. 7 the limits were 'fixed by a line drawn along the middle of the river Mississippi, from its source to the river Iberville, and from thence by a line in the middle of that stream and of the lakes Manrepas and Pontchartrain to the sea.' *Gayarre's Hist. Louisiana, Fr. Dom.*, ii. 93; *Claiborne*, in *Mayer's Mex.*, MS., no. 25.

was the western limit of the French possessions,[19] and when, in 1803, Napoleon sold Louisiana to the United States,[20] its western limits at once became a ground of dispute with Spain. The government at Washington, in its aggressive policy, claimed all the country east of the Rio Grande,[21] which included the whole of Texas and the best portion of New Mexico—a pretension, as far as the French were concerned, long obsolete. But for the time the acquisition of Florida was of more paramount importance, and Monroe and Pinckney, ambassadors at the court of Spain, were instructed, April 15, 1804, to propose to the Spanish government that the territory lying between the Sabine and Colorado rivers should be considered as neutral ground for a period not longer than twenty years, under the stipulation that Florida should be ceded to the United States for a sum not exceeding $2,000,000. This concession of its assumed right to Texas, however, soon appeared too liberal to the United States government, and in July following its representatives were instructed to propose the territory between the Colorado and the Rio Grande as the neutral ground.[22] These proposals, though long discussed, met with no result.

[19] The Arroyo Hondo was about seven miles west of Natchitoches. A conventional line seems to have been recognized for many years by both nations. This ran between the rivers Mermento and Carcasien, along the Arroyo Hondo, passing between Adaes and Natchitoches, and terminated in the Red River—a boundary often violated by encroachments of the French toward the Sabine River. *Pap. Var.*, 162, no. i., p. vii. Consult vol. i., *Hist. North Mex. States and Texas*, this series; *Monette's Hist. Val. Mississippi*, ii. 460.

[20] Upon the cession of Louisiana by Spain to the French, it was privately stipulated that the territory should not be sold to the U. S., and when the sale was effected, Spain, recognizing that a protecting barrier between her American possessions in North America and the U. S. was removed, protested. Overawed by Napoleon, she withdrew her protest. *Yoakum's Hist. Tex.*, i. 119; *Filisola, Mem. Hist. Guerra Tex.*, i. 43–4; *Annals of Cong.*, 1804–1805, ap. 1268. A curious story is told by Ashbel Smith, who frequently met the Prince of Peace, Manuel Godoy, in Paris. The latter told him that Charles IV. of Spain bestowed on him the province of Texas, to be an apanage of the house of Godoy. Preparations were made to send thither 2,000 soldiers and a number of females, but the invasion of Spain by Napoleon put an end to the whole scheme. *Reminis. Tex.*, 27.

[21] Founding the claim on La Salle's unsuccessful attempt to colonize Texas. See vol. i., 395–412, this series.

[22] *Annals of Cong.*, 1804–1805, ap. 1338–47.

But Texas had become a land of mark, and enterprising pioneers kept pushing forward into the disputed territory. Spain's attitude toward the United States and American intruders exhibited a growing hostility, and she showed herself determined to maintain her ancient system of exclusion of foreigners. To oppose the encroachments which she clearly foresaw her aggressive neighbor in America would attempt, she made vigorous preparations by the introduction of troops and colonists into Texas,[23] hoping thereby to interpose a powerful state as a protection on the Mexican frontier. Viceroy Iturrigaray, being determined to attack the Americans if they crossed the Arroyo Hondo, took active measures to increase the military strength of Texas. Nacogdoches and other places were fortified and provisioned; companies of militia were moved from Nuevo Leon and Nuevo Santander to San Antonio, and detachments stationed at Matagorda, the mouth of Trinity River, and elsewhere.[24] At the beginning of 1806, there were about 1,500 soldiers in Texas, placed under the direction of Simon Herrera, the governor of Nuevo Leon, Antonio Cordero, the newly appointed governor of Texas, being second in command.

In view of this warlike attitude, the United States government, which, though disinclined to take any step that might preclude a peaceful settlement of differences, was resolved that the Spanish troops should

[23] John Sibley reported to the U. S. sec. of war, in a letter dated Natchitoches, July 2, 1805, that 500 families had arrived at San Antonio, all settlers, with a strong reënforcement of troops; and Capt. Turner, at Natchitoches, informed General Wilkinson, Sept. 3, 1805, that Comandante General Grimarest from Spain was presently expected to arrive at San Antonio, accompanied by seven companies of soldiers; 600 familics, coming from Spain to settle Matagorda, had put into the Canary Islands. *Id.*, 1805–1806, ap. 1206–7. A scheme for the establishment of military colonies at all important points in Texas was designed, professedly for the purpose of repelling Indians. *Real Orden de 30 de Mayo de 1804*, in *Mayer's Mex.*, MS., no. 3, vuelta. The projected colony, placed under the direction of Grimarest, was to have consisted of 3,000 persons. It was on the point of sailing from Cádiz, when the capture of the four Spanish frigates took place in 1804; and subsequent hostilities rendered the scheme impracticable. *Ward's Mex. in 1827*, i. 556.

[24] President's message of Dec. 6, 1805, in *Annals of Cong.*, 1805–1806, p. 18–19; and *Id.*, ap. 1207–9.

not encroach beyond the Sabine,[25] had issued orders November 20, 1805, to Major Porter, commanding at Natchitoches, to repel any such attempt. On receipt of these instructions, Porter required of the commandant at Nacogdoches an assurance that he would not cross that river, and received, February 4, 1806, his refusal to comply with such a demand. A detachment of twenty men, under Ensign Gonzalez, had already, in fact, been advanced to the old abandoned post of Adaes, and on the 1st Porter had despatched Captain Turner with sixty men to enforce their withdrawal. This was effected with some little trouble, but without bloodshed.[26]

The news of this forcible ejection, together with the alarm excited at this time in the Mexican capital by reports of a scheme of invasion meditated by Aaron Burr,[27] caused the Spanish authorities to push forward their forces to the disputed ground. A reënforcement of 800 militiamen was sent by the viceroy to Herrera,[28] and about the 1st of August that commander, at the head of 1,300 men, crossed the Sabine, and advanced to within a few miles of Natchitoches. At this time Colonel Cushing was in command there, and on August 5th he addressed a communication to Herrera, demanding his immediate retirement to the west side of the Sabine. Herrera replied on the following day, stating that he had crossed the river with orders from his captain-general "to keep the territory from all hostile attempts, as belonging, from time immemorial, to the king."

Meantime Governor Claiborne had called out the Louisiana militia, and arrived in person during the

[25] President's message of March 20, 1806, in *Annals of Cong.*, 1805–1806, p. 190.

[26] *Annals of Cong.*, 1806–1807, ap. 913–15.

[27] For references to Burr's proposed raid into Mexican territory, see the index to *Amer. State Papers*, xx. Consult also *Annals of Cong.*, 1807–1808, pp. 386–778; *Amer. Rey.*, ii. 88–90, 91–103; and Royal Orders of May 14, Apr. 12, 1807, and Jan. 15, 1808, in *Mayer's Mex.*, MS., nos 4, 5, and 5½.

[28] Of these 600 were undisciplined. The king disapproved of sending such men on an expedition which required good soldiers. *Royal Order of March 24, 1807*, in *Mayer's Mex.*, MS., no. 4.

last week of August at Natchitoches, with a considerable force. Correspondence was now resumed, Claiborne assuring Herrera that the consequences would be serious if the Spanish forces persisted in their unjust aggressions, and bringing before his notice several acts of outrage and unfriendliness toward the United States lately committed by Spanish troops.[29] Herrera entered into an explanation with regard to the charges, and assured Governor Claiborne that the Spanish forces would commit no hostility that would frustrate the negotiations pending between the two governments, but at the same time declared his intention, if provoked, to preserve the honor of his troops and fulfil his obligations.

Shortly after the exchange of this correspondence, General James Wilkinson arrived at Natchitoches with reënforcements, and took command. On September 24th he addressed an ultimatum to Governor Cordero, at Nacogdoches, informing him that the United States, pending the settlement of the question, had adopted, "with pretensions far more extensive," the Sabine River as the most obvious, natural, and least exceptionable temporary boundary; and that the presence of Spanish troops on the east side of it was regarded as an actual invasion of their territorial rights, and would be resisted. He then reiterated in decisive tone the demand for the withdrawal of the troops of Spain to the west side of the river, in order to avoid the effusion of blood. This final communication was immediately forwarded to Nemesio Salcedo, the captain-general of the eastern provincias internas, Cordero not feeling himself authorized to decide on so serious a matter.

Each commander was loath to be the initiatory cause of hostilities, and while Wilkinson remained in-

[29] Namely, the prevention of a scientific exploration up Red River under Col Freeman; cutting down the American flag in the Caddo Indian village; the seizure of three Americans within 12 miles of Natchitoches; and the asylum afforded three fugitive negro slaves at Nacogdoches. *Ib.; Annals of Cong.*, 1806–1807, ap. 918–19.

active, awaiting Salcedo's decision, Herrera retired beyond the Sabine. On October 21st the American general wrote to the secretary of war, enclosing a copy of a note received from Cordero, by which all doubt was removed as to the unyielding pretensions of the Spaniards to the disputed territory, and announcing his intention to advance to the Sabine on the following morning. He moreover stated that he purposed proposing to the Spanish commander that they should respectively withdraw their troops to the point of occupancy at the time of the surrender of Louisiana to the United States.[30]

Accordingly on the 24th the American army took up a position on the left bank of the Sabine, in front of Herrera's forces, which occupied the west side of the river, and Wilkinson without delay opened negotiations. It has never been clearly understood what were the motives which induced the Spanish general to accept, on his own responsibility, the proposal of Wilkinson that the territory lying between the Arroyo Hondo and the Sabine should be regarded as neutral ground till the boundary question was settled.[31] Nevertheless such was the case. It is, however, more than probable that Wilkinson so excited the fears of Herrera by exaggerated accounts of Burr's contemplated invasion, and by representing at the same time that the movement could only be suppressed by the whole power of the American army, that the Spanish general was willing to take the risk of incurring his superior's displeasure.[32]

[30] All the correspondence above referred to will be found in *Id.*, 1806–1807, ap. 915–25.

[31] According to Pike, writing in 1807 at San Antonio, Herrera held a council of war, 'yet, notwithstanding the orders of the viceroy, the commandant general, governor Cordero's and the opinion of his officers, he had the firmness (or temerity) to enter into the agreement with General Wilkinson, which at present exists relative to our boundaries on that frontier.' *Expeditions*, 270–1.

[32] Wilkinson was well informed of Burr's designs against Mexico. While at Natchitoches Samuel Swartwout, a secret envoy from the latter, visited him at the beginning of October and placed in his hands a letter in cipher from Burr. He moreover disclosed to him verbally full particulars of the plot. An interpretation of the letter in cipher and Swartwout's disclosures will be found in *Annals of Cong.*, 1806–1807, ap. 1013–16. It was suspected later

With regard to Wilkinson's action in taking upon himself the responsibility of making such an agreement in face of the instructions he had received to claim positively territory as far as the Sabine, it is not unreasonable to conjecture that he was influenced by the important disclosures made by Burr's emissary. If the whole of his letter of October 21st to the secretary of war,[33] and a former one alluded to in it, were published, it would probably be seen that such were the reasons which he gave to the government for his meditated proposal to the Spanish commander.

Having completed his arrangements with Herrera and Cordero, Wilkinson withdrew his forces on the 6th of November, and hastened to New Orleans to make preparations to oppose Burr. The agreement entered into met with the approval of both governments.[34]

After the conclusion of this bloodless campaign, owing to the diversion caused by the war in Europe, and Spain's recognition that the flag protected the cargo,[35] the relations between the two governments were marked by an interval of calm. The angry demonstrations that had lately occurred were not without benefit to Texas, and by the temporary concentration of troops and the introduction of new colonists an unwonted activity had been awakened, and an improvement in the condition of the country effected. The American settlers, moreover, were introducing some little agricultural energy, cramped though they were by the suspicious apprehensions which their

that Wilkinson even succeeded in obtaining a large sum of money from the Spanish commander, on the understanding that he would undertake to frustrate Burr's designs. For fuller particulars, consult *Kennedy's Texas*, i. 244; *Monette's Hist. Val. Mississippi*, ii. 463–5; *Yoakum's Hist. Tex.*, i. 145, note; *Martin's Louisiana*, ii. 272–5.

[33] Only an extract of it is given in *Annals of Cong.*, 1806–1807, 924.

[34] *Real Orden de 14 de Mayo de 1807*, in *Mayer's Mex.*, MS., no. 4; *President's Message*, Dec. 2, 1806, in *Annals of Cong.*, 1806–1807, 11. Herrera received the thanks of the viceroy. *Pike's Exped.*, 271.

[35] Spanish men-of-war had till then ravaged the commerce of the U. S. to a great extent, both in the Mediterranean and the West Indian seas. See *Yoakum's Hist. Tex.*, i. 127, 133–4.

presence aroused, and consequent oppressive treatment.[36]

An unforeseen evil, however, arose out of the late compact. The neutral territory quickly became the asylum of a large number of desperadoes and marauders, who organized themselves into a community under a system not dissimilar to that of the old buccaneers. These land pirates preyed upon all who came in their way, the traders between the Texan settlements and Natchitoches, where horses and specie were exchanged for merchandise, being their especial mark. They had their rules and regulations, their headquarters, and their outposts. Their bravery and audacity were unsurpassed, and their fidelity to each other was inflexible.[37] Traders were convoyed across the territory of these outlaws by military escorts, which, however, were frequently attacked. The Spanish authorities made every effort to eject them, and twice the forces of the United States drove them off and burned their houses. But these measures failed to suppress them.

[36] 'The oppressions and suspicions they labour under prevent their proceeding with that spirit which is necessary to give success to the establishment of a new country.' *Pike's Exped.*, ap., part iii. 33.

[37] Yoakum relates a striking instance. Two of a gang of 13 robbers, who had attacked an escort and carried off a large amount of treasure, were captured by Lieut Magee in command of some troops from Natchitoches. The men were immediately tied to trees and flogged, to make them disclose who were their associates. As this punishment failed to elicit a word of betrayal, a live coal of fire was passed along their already tortured backs, but still no disclosure could be obtained. *Hist. Tex.*, i. 152.

CHAPTER II.

INVASION OF TEXAS BY AMERICANS.

1811–1814.

REVOLUTION IN FAVOR OF INDEPENDENCE—ZAMBRANO'S COUNTER-REVOLUTION—REËSTABLISHMENT OF THE ROYALIST GOVERNMENT—BERNARDO GUTIERREZ—MAGEE'S SCHEME OF CONQUEST—THE AMERICANS OCCUPY NACOGDOCHES—LA BAHÍA FALLS INTO THEIR HANDS—GOVERNOR SALCEDO BESIEGES LA BAHÍA—DEATH OF MAGEE—THE BATTLE OF ROSILLO—DEFEAT OF THE SPANISH ARMY—SURRENDER OF SAN ANTONIO—A REPUBLICAN GOVERNMENT ORGANIZED—MASSACRE OF SALCEDO AND OTHER PRISONERS—DISGUST OF THE AMERICANS—DEFEAT OF ROYALISTS UNDER ELIZONDO—TOLEDO TAKES COMMAND OF THE REPUBLICAN ARMY—APPROACH OF ARREDONDO—BATTLE OF THE MEDINA—DESTRUCTION OF THE AMERICANS—ELIZONDO'S EXECUTIONS—PACIFICATION OF THE PROVINCE.

IN 1810 Manuel de Salcedo[1] was made governor of Texas, Cordero, whose administration had been eminently beneficial, having been appointed to the more populous province of Coahuila. In September of this year Hidalgo raised the standard of independence, and during the long and bloody struggle which followed, Texas, remote though she was from the more active seats of war, was made the scene of deeds as horrifying as Hidalgo's massacre of his prisoners, and Calleja's atrocities at Guanajuato. By January 1811 the revolutionary wave had reached Texas, and on the 22d of that month Juan Bautista Casas, a captain of the militia, having seized the persons of the governor, of Simon Herrera—who was still residing at San Antonio de Béjar as comandante of the auxiliary troops—and of other officers, proclaimed in favor of Hidalgo

[1] Son of Nemesio Salcedo, the comandante general of the internal provinces. *Gonzalez, Col. Doc. N. Leon*, 153

and constituted himself governor. But Casas soon disgusted many of the revolutionary party by his despotic and disorderly administration, and the cura Juan Manuel Zambrano formed the design of restoring the old order of things. Concealing his real intention, he hoodwinked those of the dissatisfied whom he approached on the matter, by giving them to understand that his only object was to depose Casas and correct the disorders of the government. He was, moreover, favored in his designs by the opportune arrival of the unfortunate Aldama, who with a large amount of bullion was proceeding to the United States as envoy of the independents, there to solicit aid in arms and men. Zambrano cunningly caused the report to be spread among the lower orders that Aldama was an emissary of Napoleon—a statement the more readily believed on account of his uniform being similar to that of a French aide-de-camp. Nothing aroused the indignation of the common people more than the idea of their being surrendered to the French. By casting the gloomy shadow of that danger over the minds of his Indians, Hidalgo had lately caused the Grito de Dolores to be raised and rung through the land;[2] and now this wily priest used the same guile in Texas to advance the royalist cause. Thus the populace and many in the ranks of the revolutionists in San Antonio, and many inside the barracks, were unwittingly on his side. On the night of March 1st, with only five of those compromised to support him, Zambrano sallied from his house and raised the signal cry. Possession was obtained of the barracks immediately, and before morning dawned Casas was a prisoner, and Aldama confined under guard in his lodging. Zambrano and his party now proceeded with caution, nor did they prematurely let their real design be known. A governing junta of eleven voting members, with Zambrano as president, was elected

[2] See Hidalgo's address to his flock Sept. 16, 1810. *Hist. Mex.*, iv. 117, this series.

by the principal inhabitants of San Antonio and the vicinity, and measures were adopted to secure the province without creating alarm. The Europeans who had been imprisoned by Casas were released; his appointees were removed from office, a force of 500 reliable men was placed in marching order to be ready for any emergency; and captains José Muñoz and Luis Galan were despatched as commissioners to any royalist chief whom they might be able to approach, to solicit aid. In a short time the viceregal government was again firmly established in Texas,[3] and Salcedo was reinstalled as governor. Aldama was sent to Monclova, in Coahuila; there tried, condemned to death, and executed.

An expedition, however, organized in the following year by a young officer in the United States army, in conjunction with a Mexican refugee named Bernardo Gutierrez de Lara, almost succeeded in annihilating the royalist power in Texas. This Gutierrez had followed the occupation of a smith in the city of Revilla —now Guerrero—and at the outbreak of the rebellion possessed great wealth, owning large estates and other property in the neighborhood, besides an important commercial house. He attached himself ardently to the independent cause, and being a man of much sagacity and energy, had been made lieutenant-colonel by Hidalgo, whom he met at the hacienda de Santa María, near Saltillo, when that leader was about to start on his ill-starred journey to Monclova. Gutierrez was, moreover, commissioned as envoy to Washington, whither, in spite of the disasters that shortly afterward befell the independent chiefs, he proceeded by land, performing a journey of four months under

[3] The account of this revolution and counter-revolution is obtained from *Gaz. de Mex.*, 1812, iii. 1087–91; *Alaman, Hist. Mej.*, ii. 96–7, 170–2; *Bustamante, Cuad. Hist.*, iv. 157–60; *Zerecero, Rev. Mex.*, 196. Morelos, in a letter dated Yanhuitlan, Feb. 17, 1813, and addressed to the intendente Ignacio Ayala, mentions that he had sent two commissioners, David and Tavares, to cede Texas to the U. S. about this time. *Alaman, Hist. Mej.*, iii. 341. The commission, however, failed to reach its destination. *Id.*, 343.

great difficulties and dangers. But his position in the United States was rather that of a fugitive than an envoy, and his credentials were not recognized by the government. Being a fervent patriot, he went to New Orleans, where he began to organize an expedition for the invasion of Texas, which scheme was facilitated by his former commercial relations with that city.[4]

In 1812 Lieutenant Augustus Magee[5] was stationed at Natchitoches, and had been employed in breaking up the gangs of outlaws on the neutral ground. Young and romantic, he conceived the idea of conquering Texas by the aid of the banditti whom he had just subdued. These readily listened to his scheme, and having formed his plans and appointed a place of rendezvous, Magee proceeded to New Orleans to obtain supplies and volunteers. Here he met Gutierrez,[6] and eagerly entered into an arrangement with him to unite their enterprises. Magee nominally yielded the command to Gutierrez,[7] recognizing the policy of letting the Mexican population believe that the expedition was under the direction of one of their own countrymen.

Having resigned his commission in the army, June 22, 1812, Magee proceeded to act. Gutierrez went in advance to the place of rendezvous, on the east side of the Sabine, where 158 men were assembled. Magee remained at Natchitoches to bring up reënforcements of volunteers. Gutierrez presently crossed the Sabine, engaged the Spanish forces on the Salitre prairie, and easily defeating them, pursued them to

[4] *Bustamante, Cuad. Hist.*, i. 329–30; *Filisola, Mem. Hist. Guer. Tex.*, i. 50–1; *Dicc. Univ. Hist. Geog.*, ix. 515; *Mora, Méj. y sus Rev.*, iv. 449; *Guerra, Rev. N. Esp.*, ii. 712, note; *Thrall's Pict. Hist. Tex.*, 548. This last author says that Gutierrez made Natchitoches his home in the U. S.

[5] Magee graduated at West Point Jan. 23, 1809, and received the appointment of second lieut of artillery. *Yoakum's Hist. Tex.*, i. 152, note.

[6] Such is Brackenridge's statement. *Holley's Texas*, 304. Yoakum, i. 153, says that Gutierrez went to Natchitoches, where he met Magee, whom he greatly interested and influenced by his accounts of Mexico.

[7] Mexican writers regard Gutierrez as the inspirer and promoter of the enterprise, which is natural, as all proclamations were published in his name, and he was appointed commander-in-chief. It was, however, essentially an American enterprise. See *Niles' Reg.*, iii. 104, v. 87–8.

Nacogdoches, which was abandoned on the approach of the Americans, who took possession of the town without firing a shot. The Spanish soldiers fled to the Trinidad station. This took place August 11, 1812.[8] Magee kept sending reënforcements to the front, and with their numbers increased to nearly 500 men,[9] the Americans marched to Trinidad, which was evacuated as soon as they appeared in sight. Here they remained till the middle of October. Meantime Magee arrived, and the forces, now numbering nearly 800, were organized. In this work he was assisted by Kemper, Lockett, Perry, Ross, and Gaines. Magee was elected colonel, though virtually commander-in-chief; Kemper was chosen major, and the others made captains.

Governor Salcedo had, however, been making vigorous preparations to repel the invaders. Assisted by Cordero, who sent him such troops as could be spared from Coahuila, he joined his forces with those under Herrera,[10] and took up a position at La Bahía with 1,500 men. The Americans now continued their march, directing their course to that town. When Salcedo became aware of their intention to attack him, he marched out with 1,400 of his men, whom he placed in ambush at the crossing of the Guadalupe River; but Magee, being informed of this movement, changed his course, and crossing the river at a lower point, passed Salcedo by night, reached La Bahía before day, and captured the place without difficulty. The military chest and a great quantity of stores fell into the hands of the victors.

After this disaster Salcedo laid siege to La Bahía,

[8] Called by the Americans Spanish Bluff.

[9] 'Con los cuales'—American adventurers—'en número de unos cuatrocientos y cincuenta, ocupó á principios de Agosto de 1812, la villa de Nacogdoches.' *Alaman, Hist. Mej.*, iii. 408–1. 'Reunió cerca de quinientos hombres.' *Filisola, ut sup.*, i. 51.

[10] Herrera, after having been governor of N. Leon for 15 years, was given the command in 1810 of a corps of observation in Texas. In his absence during his governorship his brother Pedro acted as lieut-gov. *Gonzalez, Col. Doc. N. Leon*, 153.

and repeatedly but ineffectually assaulted the fortifications, in the last of which attempts he lost 200 men. During the siege Magee died,[11] and the command devolved upon Kemper, who was promoted to the rank of colonel. Finding his efforts to storm the place unavailing, Salcedo, having suffered severe loss from the deadly marksmanship of the Americans, was compelled to raise the siege about the end of February, 1813.[12]

The invaders, relieved from the extremities to which they had been reduced by a siege of nearly four months, having obtained supplies and received additional reënforcements,[13] pursued their march toward San Antonio. Viceroy Venegas had in the mean time found means of sending aid to Salcedo, and when the latter received information of the advance of the Americans, he again marched to meet them, in the hope of surprising them, by means of an ambuscade. Taking up a position with a force of about 2,000 men and six pieces of artillery,[14] nine miles from San Antonio, he awaited the enemy's

[11] Yoakum, on the authority of a manuscript narrative by Capt. McKim, an old citizen of Texas, who joined Gutierrez at the Sabine and continued in service during the whole campaign, relates the following inexplicable conduct of Magee: Previous to the last assault, a three days' truce had been agreed upon, during which time Magee dined with Salcedo. While in Salcedo's quarters a compact was made by the two commanders, by which Magee agreed to deliver up the fort, the Americans to return home without their arms, but to be supplied with provisions on their march by Salcedo. On his return to the fort Magee paraded the troops, informed them of what he had done, and took their vote for approval. The treaty was unanimously voted down, and Magee retired to his tent. Meantime a note arrived under a flag, from Salcedo, reminding Magee of his honor, and calling attention to the fact that the fort was not surrendered, though the hour agreed upon was long past. The letter was read to the army and the flag sent back without reply. Salcedo then made a furious assault upon the place, but the Americans under Kemper, the next in command, repulsed the assailants with severe loss. Magee died that night, shortly after twelve o'clock, and it was said by his own hand. *Hist. Tex.*, i. 164–5. Col Hall, who knew Magee well, states that there is not a word of truth in all this. *Baker's Tex.*, 227.

[12] Alaman gives Feb. 1st as the date. iii. 483. Filisola, about the 22d or 23d. *Ut sup.*, i. 54–5; and Yoakum, March 12th. *Ut sup.*, i. 165. Bustamante states that Salcedo lost more than one fourth of his troops, while the loss on the part of the besieged was only fourteen. *Cuad. Hist.*, i. 330.

[13] From Nacogdoches 170 recruits, 25 Cooshattie Indians from the old missions, and 300 Lipan and Twocookana Indians, whom Capt. McFarland had obtained as auxiliaries. *Id.*, 165–6.

[14] Yoakum says 1,500 regulars and 1,000 militia, with 12 cannon. *Id.*, 166. Kennedy gives the number 1,200. *Texas*, i. 279. Filisola states that Salcedo had nearly 900 men of all arms, with six cannon. *Ut sup.*, 56. Guerra places the figure at 2,000. *Hist. Rev. N. Esp.*, ii. 712, note.

approach to the Salado creek, a confluent of the San Antonio River. A ridge of high land lies between these streams, and in the dense chaparral which covered the side facing the Salado, Salcedo concealed his men. They were, however, soon discovered by the American sharp-shooters, who were sent along the crest of the ridge, and the invaders having already crossed the Salado, the Spanish general advanced to give them battle on the open ground below, placing his artillery in the centre of his line. Kemper immediately made his dispositions for the fight. A select body of riflemen, under Lockett, were directed against the enemy's cannon, with orders to pick off the artillerymen; Kemper and Ross with the remaining Americans occupied the right and left wings respectively. The general order was to fire three rounds, reload, and then charge. The engagement which followed was a one-sided affair. The Spanish artillerymen were shot down before they had inflicted any damage, and their guns captured. All along the line the Spanish troops dropped fast before the unerring aim of the Americans, and when the latter charged, they broke and fled. The victors pursued with relentless eagerness, killing great numbers. In this battle the royalists lost nearly 1,000 men in killed and wounded, while the casualties on the side of the invaders were insignificant.[15] The battle of Rosillo, as it has been called, was fought March 29, 1813.[16]

Gutierrez, who was still nominal commander, now moved on to San Antonio, and demanded an unconditional surrender of the city. Nor was there any alternative; on April 1st the triumphant army took

[15] Kennedy states that the loss of the Spaniards was 400 killed, a greater number wounded, and 73 taken prisoners; that of the victors, 9 killed and 25 wounded. *Texas*, i. 279. Bustamante and Alaman say that few of the Spanish troops escaped to San Antonio. *Cuad. Hist.*, i. 330–1; *Hist. Mej.*, iii. 483. These writers depend for their statement on a manifesto published by Gutierrez in Monterey, 1827; *Campañas de Calleja*, 178; *Cavo, Tres Siglos*, iv. 91. Guerra, *ut sup.*, asserts that out of the 2,000 veterans and militiamen, collected from the provinces of Coahuila, N. Leon, and N. Santander, only 300 escaped.

[16] Yoakum calls it the battle of Rosalis, and states that the locality cannot be identified.

quiet possession of the place, Salcedo and Herrera, with their staff-officers, yielding themselves as prisoners of war on condition that their lives should be spared.

A provisional government was now formed, consisting of a junta composed of thirteen members elected by a popular vote, Gutierrez being appointed generalissimo and governor.[17] The first question to be decided was the disposal of the prisoners, whose blood was loudly clamored for in expiation of the executions of Hidalgo and his companions, in whose capture Salcedo and Herrera had taken an active part. It was decided that they should be tried by court-martial, and as this was composed of members bitterly hostile to the royalist chiefs, the result was certain. They were all condemned to death. Nevertheless the horror and repugnance with which this sentence was received by the Americans rendered the open execution of it a hazardous proceeding. So secret assassination was resorted to; under pretext of sending them to Matagorda for shipment to the United States, the prisoners, to the number of seventeen, escorted by seventy Mexicans, were marched out of San Antonio, and about a mile and a half below the town were stripped and bound in the bed of the stream and their throats cut. This butchery took place on the 5th of April.[18]

[17] Two members, Masicot and Hale, were Americans, the remainder Mexicans. *Filisola, ut sup.*, 57.

[18] The odium of this atrocity has fallen upon Gutierrez, who endeavored to justify his action in the matter by explaining that a popular demonstration against the prisoners was promoted by the intrigues of José Álvarez de Toledo—of whom more anon—and that they were delivered up by the guard in obedience to an order of the junta, without waiting for his instructions, and indeed, without his knowledge. *Bustamante, Cuad. Hist.*, i. 332–3. The American accounts are very different. Gutierrez is charged with having secretly delivered up the captives, and with afterward defending his conduct by classifying the murderous deed as a just reprisal for the loss of friends and relatives put to death by the royalists. *Yoakum, ut sup.*, i. 169–70. Consult also *Foote's Texas*, i. 188; *Cancelada, Tel. Mex.*, 455–6; *Gonzalez, Col. Doc. N. Leon*, 259–60, in which last authority a list of the victims is found by Gonzalez among the papers of Alejandro de Uro y Lozano. According to this document the date of the massacre is April 3d, and the number of victims that given in the text, though other less reliable authorities state that only 14 were put to death. Foote, followed by Yoakum, falls

When the atrocious deed became known to the Americans, all but the most hardened of the ruffians from the neutral ground were horrified and disgusted. They did not relish fighting in behalf of a people who had no respect for the usages of war, no feelings of common humanity. Kemper and Lockett abandoned the enterprise immediately and returned home, followed soon afterward by Ross. They were accompanied by a considerable number of the better class of volunteers. As for Gutierrez, he was arraigned before a tribunal and deposed. After the departure of Ross, Captain Perry, being highest in rank, took command. The Americans, now greatly reduced in numbers, were unable to continue active operations, and for a time gave themselves up to indolence and all kinds of dissipation. From these excesses they were suddenly aroused by news of the approach of another army sent against them under command of Colonel Ignacio Elizondo, the renegade who had betrayed Hidalgo.

In this emergency Gutierrez, whose influence over the Mexican insurgents could not be neglected, was nominally reinstated in his command. Elizondo took up a position on a rising ground in sight of the city and near the little river Alazan. Contrary to the instructions to wait which he had received from Colonel Arredondo, who was also hastening up with the intention of operating in combination with Elizondo, the latter advanced against San Antonio alone. His force consisted of 1,500 men, besides a number of irregular troops of the country. Perry, to whom the command was intrusted, decided to attempt a surprise. Silently marching out of the city on the night of the 19th of June, he approached Elizondo's encampment, which had been fortified by earthworks, and broke in upon it just at dawn, while the Spaniards were at

into an error in stating that Cordero was one of those put to death. His name does not appear in this list, nor that of Col Navarro—see *Yoakum, ut sup.*, 169, note—which comprises 14 names, 10 only of which correspond with names given by Gonzalez. The truth is, Cordero was in Coahuila at the time, being governor of that province.

matins. The pickets were surprised, and the works mounted before the alarm was given in the camp. Then, however, a furious contest ensued, in which the Spaniards displayed great firmness and bravery. But the Americans, supported by 700 Mexicans under the command of a native named Menchaca,[19] after an obstinate struggle, overpowered them and drove them in flight from the field. In this engagement a large number of Elizondo's men fell, his army was badly dispersed, and he escaped with but a handful of followers. The loss on the side of the victors was small,[20] while the spoils in horses, mules, baggage, and munitions of war was very great. After this victory Gutierrez was again deprived of his command, doubtless owing to the influence of the American officers, though he attributes his disgrace to the intrigues of José Álvarez de Toledo,[21] who arrived at San Antonio about this time, and to whom Gutierrez surrendered the command by order of the junta.

Toledo was born in the city of Santo Domingo, of Spanish parents, and had been a deputy from the island of that name to the Spanish córtes at Cádiz. His republican principles, however, got him into disgrace, and he escaped to the United States, where, espousing the patriot cause, he occupied himself in promoting its interests in that country. In July 1813 he proceeded to San Antonio, and having been appointed to the chief command, he reorganized the

[19] Menchaca was a man of vigor, bold and resolute, but rude and uneducated. He possessed great influence with the natives.

[20] Bustamante, with the manifesto of Gutierrez before him, says the royalists lost more than 400 men; the revolutionists 22 killed and 42 wounded. *Cuad. Hist.*, i. 331. Yoakum, on the authority of McKim's manuscript, puts the loss of the Americans at 47 killed, and as many more wounded who afterward died of their wounds. *Ut sup.*, i. 172.

[21] *Bustamante, ut sup.*, 333–4; *Gaz. de Mex.*, 1813, iv. 1145. Gutierrez retired to Natchitoches, and remained about the neutral ground till 1816, when he went to New Orleans. Bean saw him at San Cárlos, Tamaulipas, in 1825. In 1830 he was keeping a small saddlery store at his native town, then called Guerrero. *Yoakum, ut sup.*, note. Thrall makes the unwarrantable statement that Gutierrez captured Iturbide when he landed at Soto la Marina, and executed him in accordance with the decree of congress. *Hist. Tex.*, 548; consult *Hist. Mex.*, iv. 806–10, this series.

junta and restored some degree of order to the civil government. Meantime the American division of the republican army had received considerable reënforcements; for despite the unfavorable impression caused in the United States by the news of the late barbarous deed, the signal victories obtained over the enemy did not fail to attract adventurers. Thus the numbers of the foreign element had been raised to its previous standard, while the ranks of the native Mexicans were largely increased. The invading army was, moreover, amply supplied with weapons, artillery, and ammunition, which had fallen into its hands. Thus the prospects of the enterprise were cheering. But the unseen hand of destruction was already raised in the distance.

At the time of Elizondo's defeat, Arredondo, who had been appointed by Calleja, then viceroy, provisional comandante general of the eastern internal provinces,[22] was at Laredo, whence, on receipt of the news of the late disaster, he issued orders to the discomfited commander to collect his dispersed troops and await his arrival. On July 26th he commenced his march from Laredo, and being presently joined by Elizondo with about 400 men, his army amounted to a total of 1,930 men, 735 of whom were infantry, the rest cavalry. He had also eleven pieces of artillery.[23]

When intelligence of Arredondo's movements reached San Antonio, Toledo, whose appointment as commander-in-chief was approved by the American officers, marched out with all his forces to meet him. His army numbered over 3,000 men, and was composed of 850 Americans, about 1,700 Mexicans, and 600 Indian allies.[24] Moving along the road to Laredo,

[22] In 1813 the provincias internas were again divided into the eastern and western.

[23] Arredondo's report to Calleja, of Sept. 13, 1813, in *Gaz. de Mex.*, 1813, iv. 1139, 1148. Yoakum gives the exaggerated number of 4,000 as the amount of his force. *Ut sup.*, 174. Filisola adds to Arredondo's numbers 80 artillerymen, making a total of 2,010. *Mem. Hist. Guer. Tex.*, 67.

[24] *Ib.; Gaz. de Mex.*, 1813, iv. 925, 1144.

on the 18th of August, he came upon the advance troops of the Spanish army shortly after crossing the river Medina, and the engagement began.

Now Arredondo was fully informed by his scouts of the enemy's movements, and had leisurely and carefully formed his plans. Elizondo was sent with a detachment well in advance, under orders not to enter into any serious engagement, but by simulating flight, lure the enemy within the Spanish lines, which, in that case, would be conveniently drawn up to receive him. He was to keep Arredondo promptly informed of all that took place in front. The ruse was fatally successful.

Toledo's position as commander-in-chief was not an enviable one, it would seem. There appears to have been much jealousy and ill feeling displayed toward him on the part of Menchaca, whose influence with the Mexicans was unbounded. Toledo was regarded as a Spaniard, and looked upon with disfavor by the Mexicans, who bore it with ill grace to be commanded by a gachupin. It had been his wish to wait for the enemy on the left bank of the Medina, the advantage of which position was obvious; but he had been outruled by both the Mexican and American officers, who, flushed with their late victories, were eager for the fray. There was thus evidently a want of harmony and confidence between the general and the native portion of his army, and perhaps this was the cause of his making a grievous mistake in forming his line of battle. Placing the Mexicans in the centre, he divided the Americans, and posted them on his right and left wings, under Perry and Taylor.

When the opposing forces met, a smart fire of musketry was sustained for a brief time, and then Elizondo, according to instructions, began to retreat, sending an aid at once to Arredondo, informing him of the position of affairs. The Spanish commander then sent a reënforcement with two small pieces of artillery under command of the reverend Lieutenant-

colonel Juan Manuel Zambrano,[25] who, however, received similar instuctions to confine his operations to decoying the enemy into the net that was being spread for him. Arredondo now drew up his column in line of battle.

The ground, thickly wooded on each side of his line of march, favored his design, and his position was completely concealed. His troops were disposed in the form of an angle, with the open space presented to the enemy, his wings extending well in front and almost facing each other.[26]

When Zambrano arrived on the scene of action the royalists rallied, and for a short time the tide of battle seemed arrested. But they soon gave way again and retreated precipitately, abandoning their guns. The republicans, now confident of victory, and believing that they had engaged the whole royalist force, pressed hurriedly forward in disorderly pursuit. In vain Toledo, rightly fearful of an ambush, had ordered a halt and expressed his apprehensions to Menchaca and the American leaders; his wiser judgment was again overruled.

As the flying troops kept concentrating themselves toward the apex of the ambuscade, the impetuous pursuers were soon drawn well within the fan-shaped lines of the enemy. Then burst forth on right and left of them a blaze of fire, leaping from levelled muskets and pointed cannon which struck them down by scores. Erelong most of the Mexicans were in full flight, but not before Menchaca had fallen on the

[25] It seem that Zambrano had this military rank bestowed upon him in recognition of his services in conducting the counter-revolution at San Antonio in 1811.

[26] Yoakum states that Arredondo threw up a breastwork in the form of the letter V, with the apex in the road and the open end in the direction of San Antonio, and that this defence was concealed from view by an artificial chaparral constructed of branches. *Ut sup.*, 174. No allusion to such a protection is made in Arredondo's report of the battle, nor any Spanish authority that I have met with. Bustamante, on the contrary, says that the patriots came upon Arredondo's troops with such impetuosity that they had hardly time to form in line. *Cuad. Hist.*, i. 348.

field.[27] The brunt of the battle was now borne by the Americans and their steadfast Indian allies. And bravely they bore themselves in that death-struggle. It is all very well to call them outlaws, cutthroats, desperate adventurers, and savages, but the blood of their respective races was in them, and they scorned to yield. For four hours they maintained the unequal fight, and strived in vain to turn the enemy's flank. When nearly all were slain, a remnant of the obstinate band escaped from the field of slaughter—when their ammunition was spent! Out of the 850 Americans who entered that gorge of death, only 93 effected their escape to Natchitoches.[28] Among those who saved their lives were Perry, Taylor, and Captain Bullard, who had acted as aid to Toledo during the battle.[29] The loss on the part of the royalists cannot be accurately ascertained. Arredondo, in his returns, reports 55 killed, 178 wounded, 2 missing, and 175 hurt by contusions; but considering the obstinacy with which the Americans maintained the fight for four hours, and their skill in the use of the rifle, I hesitate to accept these numbers as worthy of credit.[30]

This defeat was a death-blow to the republican cause in Texas, and it was attended with all the horrors ever observed by the royalists on the occasion of a

[27] American writers fall into many errors by relying too implicitly on the versions of their countrymen on Texan affairs, without consulting Mexican authorities. Young boldly states—*Hist. Mex.*, 97—that Menchaca—called by him and other American authors Manchaco—at this crisis drew off his men and retired, and that afterward, 'unable to bear the reproaches heaped upon him—or acting upon a concerted plan—went over to the Spaniards with such information relative to the condition of Toledo's force as precluded the possibility of attempting to continue the war.' Now Arredondo, in his report, makes especial mention of Menchaca as one of the dead found on the battle-field. *Gaz. de Mex.*, 1813, iv. 1143. I call attention to this error as an illustration of others committed by him and American historians of Texan affairs, and which are far too numerous to be specially noticed.

[28] Arredondo says that more than 1,000 corpses were counted on the battle-field, the greater portion being Anglo-Americans—'la mayor parte anglo americanos.' *Ib.*

[29] *Yoakum, ut sup.*, 175. The authorities consulted for the description of this 'battle of the Medina' are numerous, but more general reliance has been placed on Arredondo's full report of it to the viceroy, copy of which will be found in *Gaz. de Mex.*, 1813, iv. 1139–51.

[30] Bustamante says: 'Este gefe perdió en muertos y heridos mucha gente.' *Cuad. Hist.*, i. 349.

victory during the war of independence. In the pursuit every fugitive overtaken was ruthlessly sabred or lanced; the captured were immediately shot,[31] and for weeks an exterminating persecution was carried on.

Toledo, badly wounded, made his escape to the United States, where he still endeavored to further the patriot cause, which resulted in his being indicted for attempting to inaugurate another expedition against Mexico. Defeated in other attempts against Spain, he finally submitted to the king, reëntered his service, and was appointed ambassador to the court of Naples by Ferdinand VII.[32] It has been charged against Toledo that he had a secret understanding with the Spanish minister at Washington, that the removal of Gutierrez was owing to his intrigues, and that this triumph of the royalists was achieved through his perfidy.[33] But Alaman, with more justice, considers such accusations groundless, and believes that Toledo acted in good faith.[34]

When victory had declared itself for the royalists, Elizondo was sent in advance with 200 cavalrymen to occupy San Antonio, whence many of the families had fled on receiving news of the disaster to the republican cause. Arredondo entered on the following day, and then despatched Elizondo with 500 men against Nacogdoches, and in pursuit of the fugitives. He held his way as far as Trinidad, whence he sent a detachment to Nacogdoches. Having thoroughly swept through the country, capturing and shooting a large number of unfortunates,[35] he commenced his return to

[31] Arredondo, writing from the field of battle at four o'clock in the afternoon, states that about 100 had been captured and already shot, most of them Americans. *Gaz. de Mex.*, *ut sup.*, 926.

[32] *Alaman*, *Hist. Méj.*, iii. 491–2. Toledo, before his defection, had been an officer in the Spanish navy. *Id.*, 487.

[33] 'Este triunfo... fué debido á la perversidad de aquel malvado' — that is, Toledo. *Bustamante*, *Cuad. Hist.*, i. 334. This author evidently did not regard Toledo with favor. See his note on the following page.

[34] *Hist. Méj.*, iii. 488.

[35] Elizondo, in his report to Arredondo, states that he shot 71 insurgents, and brought with him 100 prisoners and as many women. *Gaz. de Mex.*, 1813, iv. 1152–3. Bustamante places the number of those shot at 74. *Cuad. Hist.*, i. 349.

San Antonio, and reached the river Brazos about September 12th. But the hand of retribution was raised to strike him. The severity of his executions and the frequency of them had so affected the mind of Miguel Serrano, a lieutenant of his troop, that he lost his reason. Possessed of the idea that Elizondo intended to shoot him also, on the arrival of the division at the Brazos, he assailed him and his cousin, Isidro de la Garza, while reposing in their tent, killing the latter immediately, and mortally wounding Elizondo. Conveyed in a litter, he reached the river San Marcos, where he died, and was buried on its banks.[36]

Arredondo remained for several months at San Antonio, his attention being principally directed to the subjugation of hostile Indians. In October, Colonel Cayetano Quintero was sent to Nacogdoches against the Lipans, and attacking their village of more than 300 lodges, constructed of hides, routed them, and captured most of their household goods. Successful excursions against other tribes were also undertaken; and Arredondo, having appointed Cristóbal Dominguez governor of the province, left there about March 1814, and took up his headquarters at Monterey. For some time, all the other northern provinces having also been pacified, Texas remained undisturbed by revolutionary attempts.[37]

[36] *Ib.; Soc. Mex. Geog.*, 2a ep., ii. 630–1.

[37] *Gaz. de Mex.*, 1814, v. 27–31, 37–9, 804–5, 814–16, 820–1. In order to prevent other similar invasions of Texas by U. S. citizens, Gov. Claiborne of Louisiana issued a proclamation at New Orleans, March 23, 1814, prohibiting such illegal proceedings. *Id.*, 871–2. Filisola asserts that Benito Armiñan was made governor. *Mem. Hist. Guerra Tej.*, 79. I have taken Alaman as my authority. *Hist. Méj.*, iii. 493.

CHAPTER III.

PRIVATEERING, PIRACY, AND INVASIONS.

1815–1821.

THE ASYLUM OF MEXICAN REFUGEES—HERRERA'S PRIVATEERING SCHEME—A REPUBLICAN GOVERNMENT ESTABLISHED AT GALVESTON—HAVOC INFLICTED ON SPANISH COMMERCE—ARRIVAL OF MINA—AURY AND PERRY—THE DESCENT ON SOTO LA MARINA—PERRY'S MARCH TO TEXAS—DESTRUCTION OF HIS BAND—AURY AT MATAGORDA BAY—HE LEAVES TEXAS FOR FLORIDA—THE PIRATE OF THE GULF AND THE BARRATARIANS—GALVESTON OCCUPIED BY LAFITTE—A SPURIOUS GOVERNMENT—PIRATICAL DEPREDATIONS—LAFITTE EXPELLED FROM GALVESTON—HIS BIOGRAPHY—LALLEMAND'S CHAMP D'ASILE—SETTLEMENT OF THE BOUNDARY QUESTION—LONG'S INVASION—TEXAS DECLARED A REPUBLIC—DESTRUCTION OF THE EXPEDITION.

AFTER this rushing blow, the condition of Texas was deplorable. Many of the inhabitants had fled and taken refuge on the frontier of Louisiana, Davenport[1] and other United States settlers had left the country; their crops were destroyed, their cattle carried off, and their houses burned. The spirit of insurrection was suppressed for years, and it was only by the advent of a new race that vitality was again inspired into the province.

Besides those revolutionists who escaped from Texas, other refugees from different parts of New Spain made the United States their home during their exile, and there tried to further the independent cause by collecting troops and arms for another invasion. Nor

[1] In the indulto which was proclaimed Oct. 10, 1813, the settlers Davenport, Dortolan, and Gerard were excepted, as also Toledo, Gutierrez, and others. The government would reward those who put them to death. *Gaz. de Mex.*, 1813, iv. 1248.

was the field of these indirect operations an ill-chosen one. A wide-spread sympathy with the patriots in Mexico prevailed in the United States, and but for the vigilance of the government, thousands of volunteers would have accepted the invitation of these refugees. Even as it was, there were not wanting numbers of bold men ready to take all risks and engage in the illegal enterprise of invading such a land of promise. Conspicuous among them was Colonel Perry, with whom the reader is already acquainted, and who published a proclamation in the New Orleans papers in 1815, to the effect that an expedition was in preparation to invade Texas; that 1,000 men were ready to engage in the enterprise, and setting forth the worthiness of the cause, and the honor and profit that would attach to those who would fight for the Mexican patriots. Of this the United States government appears to have taken notice, and September 1st of the same year President Madison issued a proclamation prohibiting such unlawful enterprises.[2] Although any important undertaking was prevented by the watchfulness of the authorities, Perry escaped their vigilance, and late in the autumn made his way beyond the Sabine with a small party which formed a nucleus.

At this time José Manuel de Hererra, who had been appointed minister to the United States by Morelos, was residing in New Orleans, and in conjunction with other partisans of the revolutionists, conceived the idea of preying upon the commerce of Spain by a questionable system of privateering. Aware of the suitability of Galveston harbor for his purpose, and recognizing the advantages it offered as a rendezvous for future expeditions in aid of the independent cause, he sailed thither September 1, 1816,

[2] *Niles' Reg.*, viii. 436; ix. 33–4. During the same year also Toledo, Julius Cæsar Amazoni, Vincent Gamble, John Robinson, Romain Very, Pierre Samuelson, and Bernard Bourdin were indicted in the U. S. district court of Louisiana for attempting to violate the neutrality of the Union. *Amer. State Papers*, xi. 307.

with Luis de Aury,[3] whom he appointed commodore of the fleet of the republic of Mexico. At a meeting held at Galveston, September 12, 1816, Herrera, by virtue of his office as minister plenipotentiary of the republic of Mexico to the United States, formed a government. Commodore Aury was made civil and military governor of the province of Texas and the new establishment, and took the oath of allegiance to the Mexican republic; the several branches of public administration were arranged; Galveston was declared the established port of the republic, and the flag hoisted; and on the 16th Herrera appointed the necessary authorities, and established a treasury. By October the 20th their system of government was completed, Aury being authorized to form regulations for the navy, as well as to move the new establishment and his seat of government to Matagorda, or any other more suitable place, in case of necessity. A court of admiralty, moreover, was formed, which adjudicated in the matter of captured vessels.

The royalists in Texas were in no position to oppose the proceedings of Aury; there were not more than 200 men stationed in the different posts throughout the province, and the insular situation of the invaders rendered them unassailable. Perry soon joined with nearly 100 recruits, and other reënforcements arriving, the community before long numbered 400 men. The privateers, sent out to cruise in the gulf, inflicted great havoc upon Spanish commerce, and as the prizes were generally richly laden, the adventurers wanted for nothing. General Bernardo Gutierrez, being stationed as their agent at Natchitoches and liberally supplied with money, rendered valuable aid.

Among the followers of Aury were many of the old

[3] Aury entered the service of the republic of New Granada as lieut of the navy in May 1815, and was appointed commandant general of the naval forces stationed at Cartegena, Aug. 10th of the same year. During the siege and blockade of that place he rendered signal services by saving the lives of nearly 3,000 persons, and a portion of the naval force, by breaking through the royalist squadron, Dec. 6, 1815.

Barratarian freebooters, who were not always particular as to the nationality of the vessels they attacked. Moreover, no few Spanish slavers were captured, and though the introduction of slaves into the United States was illegal, it was effected by aid of the Barratarians—so well acquainted with the outlets of the Mississippi—and the coöperation of citizens in Louisiana,[4] who would repair to Galveston and select and purchase their lots of human merchandise, which were punctually delivered. Many of the privateers which swept the gulf during this period, and brought their prizes to Galveston, were owned by United States citizens.

In November, Javier Mina[5] arrived with over 200 men and supplies of ammunition in three vessels, which increased the fleet to over a dozen sail. The advent of this unfortunate leader was attended with disastrous results to Aury's undertaking, and the shadow of his ill-starred fate fell on many of the adventurers at Galveston. But it is invidious to weigh his destiny with those of others. Had the chiefs at Galveston been in accord with him, his enterprise might have succeeded. But jealousy broke out among them. Perry, bold and headstrong, dazzled by the greatness of Mina's undertaking, was ready to join him in the invasion of Mexico, while Aury, who had raised his force for the conquest of Texas, would not yield hearty coöperation. The disagreement between Aury and Perry daily increased, till at last the latter, disclaiming the authority of the former, wished to place himself and his company of 100 men under Mina. Bloodshed was threatened; but as Perry's men stood firmly by him, Aury deemed it prudent to yield.

Four months were passed in organizing and drilling

[4] Beverly Clew, the collector at New Orleans, writes to the secretary of state, Aug. 1, 1817: 'I deem it my duty to state that the most shameful violations of the slave act, as well as our revenue laws, continue to be practised with impunity, by a motley mixture of freebooters and smugglers, at Galveston, under the Mexican flag.' *Id.*, 347. See also pp. 352, 354–5, 377.

[5] For particulars of Gen. Mina's career, consult *Hist. Mex.*, iv. 659 et seq., this series.

the troops, and then, some correspondence having been intercepted on board a Spanish vessel from Tampico, Mina decided, from the information thereby obtained, to make a descent upon Soto la Marina. Having burned down what buildings they had erected, they weighed anchor April 6, 1817.[6] When they arrived at Soto la Marina, Aury, chagrined at the position which had been imposed upon him, having landed Mina's force, detached himself from the expedition and again turned his prows toward Texas.[7]

Soto la Marina fell into Mina's hands without opposition. His future operations down to the time of his capture and execution at Los Remedios have been fully narrated in another volume,[8] and as those events are not connected with the history of Texas I shall not repeat them. It may be interesting to the reader, however, to know the fate of Perry.

When Mina had made every preparation to march into the interior, Perry, convinced of the rashness of making the attempt with a force amounting to only 300 men, also abandoned the foredoomed leader, and with his usual recklessness determined to force his way back to the United States by land. With Major Gordon, and about fifty others of his company whom he induced to join him, he commenced his dangerous march, and, incredible though it seems, reached La Bahía in Texas. Though his force was reduced to forty in number, he did not hesitate to demand the surrender of the place. The appearance, however, of a squadron of more than 100 cavalrymen, sent in pursuit of him, compelled him to retire in the direction of Nacogdoches. Being overtaken by the enemy, he

[6] In a memorial addressed to the president of the United States by Vicente Pazos, relating to Aury's operations, this is the date given. *Amer. State Papers*, xii. 409. Other authors give March 27th, but Pazos' date is in every probability correct. Consult *Zamacois, Hist. Mej.*, x. 265, note.

[7] For this account of Mina's arrival at Galveston, the dissensions of the chiefs, and other particulars, consult *Alaman, Hist. Méj.*, iv. 553 et seq.; *Robinson's Mex. Rev.*, i. 121–5; *Gonzalez, Col. Doc., N. Leon*, 353–5; *Kennedy's Tex.*, i. 292–3; *Yoakum's Hist. Tex.*, i. 182–5; *Amer. State Papers*, xi. 346, xii. 408.

[8] *Hist. Mex.*, iv., ch. xxviii., this series.

took up a position at nightfall in a wood called El Perdido, and when summoned to surrender, declared that he and those with him would all die first. At dawn an attack was made. Though surrounded on all sides, the dauntless band twice repulsed the enemy and fought its way to a rising ground on the banks of a stream. And here, when their ammunition was exhausted, they fell, Perry blowing out his brains with a pistol at the end of the fight,[9] rather than surrender to the foe.

When Aury reached the Texan coast, he put into Matagorda Bay, and throwing up wooden buildings on an islet lying between the isla de la Culebra and the isla del Bergantin, appears to have remained there about two months. During this period he probably sent out cruisers, which from time to time brought in prizes.[10] In July, however, he received news of the undertaking directed by General McGregor against the Floridas,[11] and decided to coöperate with him. Accordingly, having destroyed seven of his vessels,[12] he returned to Galveston, which port he reached about the middle of July. On the 21st of the same month

[9] This account is taken from the report of the encounter to the viceroy Apodaca, by Antonio Martinez, in command of the Spanish troops. Martinez states that after the fight was over, 26 men lay dead on the field, 12 were mortally wounded, and 2 were unhurt. These last were shot. He enumerates the weapons taken, consisting of 27 muskets, 4 escopetas, 12 bayonets, 1 pistol, 4 sabres; also 11 cartridge-boxes; but he makes no mention of any ammunition. As he remarks that all the wounded were 'atravesados de lanza,' it would seem that Perry's men were nearly all killed by the lance after their ammunition had failed. *Gaz. de Mex.*, 1817, viii. 787–9. Linn's account of the death of Perry is incorrect; I regard the report of the Spanish commander as conclusive.

[10] Antonio Martinez, who had succeeded Dominguez as governor of Texas, on the report of Aury's arrival, sent out a corps of observation, and 13 vessels were counted anchored in the bay. *Id.*, 1817, viii. 987–8.

[11] *Amer. State Papers*, xii. 409. Sir Gregor McGregor was a general of brigade in the service of the revolted provinces of New Grenada and Venezuela. On March 31, 1817, he received his commission to undertake the conquest of the Floridas. Copy of translation will be found in *Id.*, xii. 421–2.

[12] Doubtless his useless prizes. Juan de Castañeda, who had been sent with 30 men to examine the destroyed craft, reported July 21st that all were utterly demolished except two which were dismasted and full of water. One of these was loaded with cotton and dye-wood, and the other with material of war. See the report in *Gaz. de Mex.*, 1817, viii. 987–9.

he addressed a note to Manuel Herrera—who had long before returned to New Orleans—in which he stated that to make a diversion for the benefit of the cause they were supporting, he had determined to abandon the establishment at Galveston, and that he should take with him the judge of the admiralty court, the administrator of the customs, and all constituted authorities. He moreover notified him that all proceedings after July 31st were to be considered as having taken place without his consent and contrary to his will, and that therefore every transaction not signed by Pedro Rousselin, the collector, who would accompany him, was to be held as illegal.[13] Aury adds that he would have left a lieutenant-governor and a deputy collector, but he feared that they would not have force sufficient to maintain order or prevent the commission of acts in violation of the law of nations.[14] A few days after, he spread his sails, bound for the Floridas.[15] He had found the island occupied by Lafitte, the Pirate of the Gulf.

Jean Lafitte, the eldest of three brothers, is reputed to have been born in Bordeaux, France, about 1780. So varied and contradictory are the accounts given of his early life that no credence can be attached to any of them. It is not until the smugglers, or pirates, if such you choose to call them, had well established themselves on the island of Barrataria that his career is known with any certainty. This island, formerly called Grand Terre,[16] is situated at the mouth of a lake about sixty miles west of the delta of the Missis-

[13] He addressed a note of the same tenor, July 28th, to Beverly Clew, collector of customs at New Orleans; and a duplicate of it on the 31st, dated at sea. *Amer. State Papers*, xi. 355.

[14] See copy of letter in *Id.*, xii. 423–4.

[15] After serving the cause of the patriots for some years, Aury returned to New Orleans, and being a man of fine appearance, married a rich widow, from whom, however, he was separated some time afterward. As late as 1845 he was residing at Habana. *Yoakum's Hist. Tex.*, i. 194; *United Service Journal*, 1852.

[16] It received the name Barrataria, derived from *barat*, an old French word, from which also is derived barratry.

sippi. About the year 1810 it became the rendezvous of smugglers, freebooters, and desperadoes of different nationalities, who found an easy disposal of their ill-gotten goods at New Orleans. Among these Lafitte soon became preëminent, by reason of his superior talent in conducting their nefarious enterprises, and his power over the other chieftans became almost absolute. Governor Claiborne, in view of the demoralizing effect which the traffic had upon the commercial community at New Orleans—for many large houses were in collusion with them—issued, in March 1813, a proclamation ordering them to disperse. This had no effect, so he placed a reward of 500 dollars on the head of Lafitte, which the latter treated with such contempt as to offer thirty times the amount for the governor's head. Claiborne then tried force, and again was unsuccessful. Lafitte surrounded the troops sent against him—and dismissed them, loaded with presents!

This state of affairs being reported to President Madison, Commodore Patterson of the United States navy was ordered to destroy this hornets'-nest, and in June 1814 he arrived before Barrataria with gunboats and the schooner *Caroline*. The pirates, in seven fine armed cruisers and a felucca, manned by nearly 1,000 men, at first made a show of resistance, but finally abandoning their vessels, made for the land and dispersed among the swamps. Patterson took the surrendered vessels and all the spoils of Barrataria to New Orleans.

This broke the backbone of the community, whose leading spirit was the Pirate of the Gulf. But he was still at large, and as the outlying cruisers kept returning, business was still carried on secretly. When the British approached New Orleans, in the autumn of this year, overtures were made to Lafitte, with most tempting offers of rank in the British navy and a large sum of money, if he would join the service. Lafitte asked for time to consider, which was granted, and he sent without delay the written proposals which he had

received to Governor Claiborne, with an offer of his services to the United States, on condition that he and his followers should be no further molested. His offer was accepted; and at the battle of New Orleans, he and his men did such good service, that a pardon was granted them by President Madison.[17]

Little is known of Lafitte's movements during the next two years. Precluded from carrying on depredations with his headquarters on United States territory, he seems to have cruised about the gulf, and endeavored, though unsuccessfully, to establish himself at Port au Prince.[18] A few days, however, after the departure of Aury from Galveston for Soto la Marina, Lafitte appeared at the island with his privateers. The number of his followers was then about forty, and on the 15th of April, 1817, these freebooters proceeded to establish a government, with the object of "capturing Spanish property under what they called the Mexican flag, but without an idea of aiding the revolution in Mexico, or that of any of the Spanish revolted colonies."[19] It seemed good, however, to imitate the policy of Aury in order that their lawless captures might be introduced into Louisiana with less trouble. Accordingly the captains of the cruisers met and elected the different members of their government. Louis Derieux was made governor and military commandant; A. Pironneau, adjutant commandant; J. Ducoing, judge of the admiralty; Pedro Rousselin,[20] collector of customs; Raymon Espagnol, secretary of the treasury and notary public; and Jean Jannet, marine commandant. That no formality might be wanting, the oath of fidelity to the Mexican republic was taken. The governor was first sworn by Luis

[17] Dated Feb. 5, 1815. Consult *Yoakum's Hist. Tex.*, i. 186–90; *Babé Marbois, Hist. Louis.*, 382–4, Eng. ed.; *Kennedy's Tex.*, i. 288–9; *Gayarré, Hist. Louis.*, Am. Dom., 289–90, 302–6, 312–16, 356–7, 411, 504; *Democratic Review*, vi. 34.

[18] *Amer. State Papers*, xi. 351.

[19] Raymon Espagnol's testimony, in *Id.*, xi. 359.

[20] Rousselin was Aury's collector, and had been left by him with an advice boat to report arrivals of privateers to him.

Iturribarría, and the others then took the oath to the governor.[21] On the 20th of the same month, other craft having arrived, the captains and owners of them, to the number of seventeen, were convened on board the schooner *Jupiter*. The appointments were confirmed, and regulations made concerning the disposal of the duties that should accrue from prizes. The proceedings were drawn up and signed by those present before the secretary pro tem, Lafon.

Under the auspices of this worthy administration, Galveston soon became the asylum of refugees from justice and desperadoes of every nationality and dye. By the end of the year, Lafitte's followers numbered nearly 1,000 men, and their depredations in the gulf were carried on to such an extent that Spanish commerce was almost swept from that sea. But this was not all; the vessels of other nations became the prey of these pirates. The United States government would have broken up the nest but for the opposition of the Spanish minister Onis. The boundary question had not yet been settled, and it was feared that if the government at Washington dispersed the buccaneers from Galveston by armed force, it would retain possession of the island.[22] Thus for years the Pirate of the Gulf remained unmolested. On the site where the city of Galveston now stands he erected a fort, and built himself a house, around which numerous other edifices soon sprung up, forming a busy settlement, which he named Campeachy. On the 9th of October, 1819, Galveston was declared a port of entry of the republic of Texas, which had lately been proclaimed by the leaders of another expedition into the country, and Lafitte was made governor of the place. Shortly afterward one of his followers, named Brown, robbed an American vessel near the Sabine, and being pur-

[21] *Id.*, xi. 358–9, 386–7. It will be noticed that Lafitte's name does not appear. But there is evidence that he was present. Consult *Id.*, xi. 349. He probably did not choose, from policy, to have his name used. This is Yoakum's opinion.

[22] See the objections raised by Onis, Dec. 6, 1817, when informed of measures taken by the president to suppress these marauders. *Id.*, xii. 11.

sued by the United States schooner *Lynx*, Captain Madison, he abandoned his boats and escaped with the crews to land. The *Lynx* sailed to Galveston, and Lafitte summarily hanged Brown. Madison was satisfied with this prompt measure, and with the disposition shown by Lafitte to bring the other culprits to justice.[23] But in the following year another American vessel was taken by one of Lafitte's cruisers and scuttled in Matagorda Bay. The government at Washington sent a commission to inquire into the case, and the report being unfavorable to Lafitte, the *Enterprise*, Lieutenant Kearney, was sent early in 1821 to break up the Galveston establishment. Kearney visited the freebooter in his home, where he was hospitably entertained. Lafitte, aware of the inflexible determination of the United States government, proceeded to obey its orders. He destroyed his fortifications, paid off and disbanded his men, and on board his favorite vessel, the *Pride*, sailed away forever from the shores of Texas.[24]

[23] See the correspondence on this matter between Capt. Madison and Lafitte, in *Niles' Reg.*, xvii. 395–6; also *A Day with Lafitte*, in *Democratic Review*, vi. 40.

[24] Lafitte persistently maintained that he only made war on Spanish vessels. According to an account given by an officer of the *Enterprise*, who accompanied Kearney on a visit to Lafitte, the freebooter gave at table the following sketch of his life as a pirate, and the cause of his adopting this career: he stated that 18 years before he had been a merchant at Santo Domingo, and that having become rich, he wound up his affairs, sold his property, bought a ship, and freighted her with a valuable cargo, including a large amount of specie. Having set sail for Europe with his wife on board, he was captured, when a week at sea, by a Spanish man-of-war, and robbed of everything he possessed. The Spanish captain had the inhumanity to set him and the crew ashore on a barren sand key, with provisions for a few days only. They were taken off by an American schooner and landed at New Orleans, where his wife died in a few days from fever, contracted by hardship and exposure. Lafitte, in desperation, joining some daring fellows, and having purchased a schooner, declared eternal vengeance against Spain. 'For fifteen years,' he said, 'I have carried on a war against Spain. So long as I live I am at war with Spain, but no other nation. I am at peace with all the world except Spain. Although they call me a pirate, I am not guilty of attacking any vessel of the English or French.' *Id.*, 42. The same writer describes Lafitte 'as a stout, rather gentlemanly personage, some five feet ten inches in height, dressed very simply in a foraging cap and blue frock of a most villanous fit; his complexion, like most creoles, olive; his countenance full, mild, and rather impressive, but for a small black eye, which now and then, as he grew animated in conversation, would flash in a way which impressed me with a notion that "Il Capitano" might be, when roused, a very

After the fall of Napoleon, a number of French officers who had followed his fortunes retired to the United States, where they were kindly received. On the 3d of March, 1817, congress bestowed on these refugees a grant of 92,000 acres of choice land in Alabama, on the condition that the settlers should introduce the cultivation of the vine and olive. The terms of the grant were so favorable[25] as to make it equivalent to a gift. Nevertheless, the colonists being military men failed of success, and most of them sold their portion of land for a mere trifle. Thus the generous intention of the United States congress to benefit a number of unfortunate persons and promote their welfare resulted in the enriching of a few speculators.[26] Some of the grantees attributed their failure to the climate, and sought for more genial localities. Among these were generals Lallemand and Rigault, who believed that they would find in Texas all the requirements for the establishment of a successful colony. Having addressed to the court of Spain a note declaring their intention, and having received no reply to their communication, which could only be regarded as impertinent,[27] they proceeded to carry out their design.

Accordingly, in March 1818, Lallemand, leaving a younger brother, Dominique, at New Orleans to forward supplies, sailed with 120 settlers, and having

"ugly customer." His demeanor toward us was exceedingly courteous.' Later he remarks: 'He was evidently educated and gifted with no common talent for conversation.' Lafitte continued to cruise on the Spanish main for several years. Occasionally he visited Sisal, and the island of Margarita, near the mouth of the Oronoco. He died in 1826 at Cilám—properly written Dilam, and incorrectly Silan, as in the American Cyclopædia, sub nom. Lafitte—a town in Yucatan, and was there buried in the campo santo. *Yoakum, ut sup.*, 204; *De Bow's Review*, Oct. 1851.

[25] The land was sold to them at $2 per acre, payable in 14 years without interest. *Niles' Reg.*, xiv. 393.

[26] One speculator was said to have made between $500,000 and $1,000,000 by these land transactions. *Id.*; *Le Champ d'Asile*, 14–15.

[27] They wrote thus: 'Que si la cour d'Espagne acquiesçait à leurs demande, elle pouvait compter sur leurs services et leur fidélité. Que, dans le cas contraire, ils profiteraient du droit que la nature accorde à tout homme de fertiliser des solitudes incultes, et dont personne n'est autorisé à lui disputer la possession. . .Qu' enfin ils étaient déterminés, quelque chose qui arrivât, à se fixer dans la contrée du Texas.' *Id.*, 18–19.

entered the bay of Galveston, selected a spot on the Trinity River, about twelve miles above its mouth, and began to fortify the post. On May 11th a declaration was issued by the colonists, in which they set forth that, having been driven from their country by a series of calamities, they had determined to seek an asylum, and that finding lands unoccupied, they considered that they had the right to establish themselves thereon. They proceeded to state that their intentions were peaceable, but that, if persecuted, they would justly defend themselves; the land they occupied would see them prosper or bravely die. The colony, to which they gave the name of Champ d' Asile, was essentially an agricultural and commercial one, but for its preservation it would be conducted under a military system.[28] Such were their sentiments and intentions, but the soldier does not make a good agriculturist. Moreover, a drought set in and rendered abortive their first efforts. Nevertheless, as game was abundant, they managed to subsist for a time, and established a petty traffic with the Indians; but when a Spanish force marched against Champ d'Asile, the feeble colony, reduced by privations, was in no condition to resist,[29] and retired to Galveston. Lallemand returned to the United States, but the fate of his followers is unknown. It is probable that most of them cast their lot with Lafitte's desperadoes, a few only reaching the United States.

During the period from 1809 to 1815 no diplomatic relations existed between the United States and Spain. In June of the first-named year Luis de Onis had been appointed envoy extraordinary to Washington by the Spanish suprema junta central, a provisional government which the United States could not acknowledge, nor was it until December 1815 that Onis

[28] Copy of declaration will be found in *Id.*, 44–7, and a translation in *Niles' Reg.*, xiv. 394.

[29] *Barbé Marbois, Hist. Louis.*, 396–8; *Noticioso Gen.*, Feb 12, 1819, 4.

was formally recognized.[30] Relations having then been restored, the Louisiana boundary question became a matter of serious consideration. The settlement of the dispute between the two powers as to the right of ownership to Texas became involved with the negotiations that had taken place for the cession of the Floridas to the United States, and the two questions were now to be treated in combination. The discussions which ensued were very lengthy, extending over three years, and numerous propositions and counter-propositions were made.[31]

Terms of agreement were finally arranged, and on February 22, 1819, a treaty was signed by Onis and the American secretary of state, by which the Floridas were ceded to the United States, and Spain retained possession of Texas. The boundary line between the United States and the Spanish possessions, as defined in the third article of the convention, was as follows: it was to begin at the mouth of the river Sabine, continuing north along the western bank of that river to latitude 32°; thence by a line due north to the degree of latitude where it strikes Red River; then following the course of that river westward to longitude 23° west from Washington; crossing said river, it was to run by a line due north to the Arkansas, following the southern bank of that river

[30] *Onis, Mem. Negoc.*, 1–2; *Amer. State Papers*, xi. 54.

[31] The correspondence and documents relating to the opposing claims to the possession of Texas will be found in *Annals of Cong.*, 1819, ii. 1629–2131. The claims of the U. S. that Texas formed a part of Louisiana were based on the possession taken and establishment made by La Salle in 1685 at San Bernardo Bay; the charter of Louis XIV. to Crozat in 1712; the geographical authority of De Lisle's map, and more especially that of Tomas Lopez, geographer to the king of Spain, published in 1762; the map of Homann, published at Nuremburg in 1712, and a British official map published by Bowen in 1755, intended to point out the boundaries of British, Spanish, and French colonies in North America; also on geographical works and narratives, especially the accounts of Hennepin in 1683; of Fonti in 1697; and of Jontel in 1713—pp. 1757–8. Onis endeavors to show that these supports were without foundation, claiming priority of discovery, and the establishment of the province of Texas in 1690. *Mem. Negoc.*, 48–57. A long review of the U. S. claims to Texas, wherein the author seeks to prove that Texas never formed any part of Louisiana, and that the cry of 're-annexation,' raised 20 years later, was an attempt at a 'gross infraction of a previous treaty,' will be found in *Grattan's Con. Amer.*, 254–82.

to its source in latitude 42° north; and thence by that parallel to the Pacific.[32]

The king of Spain, however, failed to ratify the treaty within the six months prescribed, and when he ratified it, October 24, 1820, the controversy was renewed, the United States being strongly disinclined to recognize the late convention. The treaty had from the first caused wide-spread dissatisfaction, and there was a strong party which not only regarded the cession of Texas for the Floridas, as the exchange of a valuable territory for an inferior one, but as a violation of the fundamental principle of the United States never to relinquish territory. The demurrers to the treaty, insisting on the justice of the claim to Texas, considered the action of the government in making the convention unconstitutional, and that the equivalent to be given by Spain was inadequate.[33] Another year having been passed in profitless discussion between the two governments, congress, on the 19th of February, 1821, consented to and advised the president to ratify the treaty. On the 28th of the same month John Quincy Adams informed the Spanish envoy that President Monroe had accepted the ratification.

The reader will not have failed to observe with what signal want of success all attempts to occupy or colonize Texas by force of arms were attended. I have still to record another instance of like failure.

In Natchez the angry feeling aroused by the treaty of February 1819 was exhibited in a practical manner. A meeting of the inhabitants was held, for the

[32] *Annals of Cong.*, 1819, ii. 2130 et seq., where a copy of the treaty will be found.

[33] Henry Clay, a few days before, April 3, 1820, submitted the following resolutions to the house: 'That the constitution of the U. S. vests in congress the power to dispose of the territory belonging to them, and that no treaty purporting to alienate any portion thereof is valid without the concurrence of congress;' and 'that the equivalent proposed to be given by Spain to the U. S. in the treaty. . .for that part of Louisiana lying west of the Sabine was inadequate; and that it would be inexpedient to make a transfer thereof to any foreign power, or renew the aforesaid treaty.' *Annals of Cong.*, 1820, ii. 1719. Arguments in support follow.

purpose of organizing an expedition in aid of the revolutionary party, and James Long[34] was appointed leader of the enterprise. Long entered into the undertaking with enthusiasm, and in June started from Natchez with about seventy-five followers for Nacogdoches. His numbers were rapidly increased, and soon after his arrival at that place he could muster over 300 men, among whom may be mentioned Bernardo Gutierrez and Samuel Davenport. He immediately proceeded to establish a civil government, under the control of a supreme council invested with legislative powers. The council was composed of Horatio Biglow, Hamlin Cook, W. W. Walker, Stephen Barker, John Sibley, Samuel Davenport, John G. Burnett, J. Child, Pedro Procello, and Bernardo Gutierrez. General Long was chosen president. On June 23d the supreme council declared the province a free and independent republic.[35] In the preamble it was set forth that the citizens of Texas had long indulged the hope that, in the settlement of the boundary question, they would be included within the limits of the United States. The recent treaty, however, with Spain had dissipated this illusion, and they saw themselves abandoned to the dominion of the crown of Spain. They had therefore resolved, under the blessing of God, to be free. I must remark that these 'citizens of Texas' were comprised of a few American settlers, who had gradually encroached upon the territory and been unmolested. Various laws were next enacted for the organization of the new republic, and the raising of revenue by the sale of public lands.[36]

[34] James Long was born in Virg nia, and having studied medicine, was attached to the medical staff of Carroll's brigade. He was a favorite of Gen. Jackson, and distinguished himself at the battle of New Orleans. Having married Jane H. Wilkinson, a niece of Gen. Wilkinson, he retired from the army, and after trying agriculture, settled at Natchez as a merchant. From Gen. Mirabeau Lamar's narrative, in *Foote's Tex.*, i. 201–2.

[35] Interesting extracts from this declaration of the independence of Texas, which was published in the *Louisiana Herald*, will be found in *Niles' Reg.*, xvii. 31.

[36] A bill was passed for the sale of lands on the Atoyac and Red rivers, the minimum price for those on the first-named stream, which was an affluent

The adventurers, or patriots as they styled themselves, made military dispositions to occupy the country. David Long, a brother of the general, was despatched with merchandise to the upper crossing of the Trinity to traffic with the Indians; Johnson was sent on a similar expedition to the Brazos; Major Smith, with forty men, was stationed at the Cochattee village on the Trinity; and Walker with twenty-eight men fortified a position on the Brazos at the old La Bahía crossing. These arrangements having been completed by the end of September, Long, who had already been in communication with Lafitte, now governor of Galveston under the republic, decided to pay him a visit, in the hope that by a personal interview he would be able to induce that chieftain to assist him in his undertaking. Leaving Major Cook in command at Nacogdoches, he therefore proceeded toward Galveston, but on arriving at the Cochattee village, he received tidings, brought in by the Indians, that the royalists were rapidly approaching. A Spanish force, 700 strong, under Colonel Ignacio Perez, was advancing to drive out the invaders. Long at once sent orders to Cook and his outlying detachments to concentrate at the Cochattee village, and hastened on to Galveston. But Lafitte, though expressing his best wishes for Long's success, regarded the enterprise as far too hazardous, and so told Long, calling his attention to the many attempts which had failed through want of the large force necessary for an invasion by land. Disappointed at not receiving the desired aid, Long returned without delay to the village, where he learned that sudden and most ruinous calamity had fallen on the embryo republic.

Of all the expeditions to Texas, not one experienced a more speedy collapse or swifter ruin than that of Long. Cook was of all men the most unfit to hold

of the Naches, being $1 an acre, payable one fourth down and the remainder in three annual instalments. The lands on the more distant Red River were rated at from 12½ to 50 cents an acre. *Foote's Tex.*, i. 205.

the responsible position in which he had been placed. Of intemperate habits, on the departure of Long from Nacogdoches, he gave way to drunkenness and dissipation, and the garrison, following his example, fell into disorder. Meantime the royalist troops, October 11th, surprised Johnson's detachment on the Brazos, taking eleven prisoners, and dispersing the rest. Johnson with six others escaped to Walker's fort, which was assailed on the 15th; the republicans were compelled to seek safety in flight, destitute of everything. David Long's post at the upper crossing on the Trinity was next attacked. Long was killed, and his men fled to Nacogdoches. Smith at the Cochattee village had been joined by Johnson and Walker, with other fugitives; and when Perez approached, he retreated forty miles below the village. But attempting to elude the enemy, a skirmish was brought on, in which several fell on both sides. The republicans were again defeated, and made their way in canoes to Point Bolivar on Galveston Bay, which Long had previously appointed as a place of rendezvous in case of disaster, and had already made preparations to fortify.

When the fugitives from David Long's post reached Nacogdoches the wildest confusion prevailed. Not for a moment was a thought of resistance entertained; the garrison and inhabitants alike hurried out of the place to seek safety on the other side of the Sabine; and when Long, who had hastened forward at full speed, arrived at Nacogdoches, he found a silent and deserted town. He himself barely escaped capture at the hands of a detachment of royalists which presently came up in pursuit, and succeeded in taking many of the fugitives prisoners before they crossed the saving river. After his escape, Long passed down the Calcasien and repaired to Point Bolivar, where he found the remnant of the republican forces.[37]

[37] The above account of this expedition is taken from the narrative of General Mirabeau Lamar, president of Texas, and which he placed in the hands of Foote, who gave it to the public in his *Texas and the Texans*, i. 198–216.

Recognizing that the expedition was utterly broken up, Long retired to New Orleans, where he appears to have formed the acquaintance of the Mexican patriots Milam and Trespalacios. In the spring of 1821 an expedition was organized by these independent leaders, and Point Bolivar occupied. Provided with a commission by Trespalacios, who styled himself lieutenant-general of the Mexican army and president of the supreme council of Texas,[38] Long landed at the mouth of the San Antonio, and with 51 men marched against La Bahía, which he took possession of without opposition October 4, 1821. He was compelled, however, to surrender a few days afterward to Colonel Perez, and was sent as a prisoner with his followers to San Antonio de Béjar. Representing that he had undertaken the expedition in the cause of independence, he and his fellow-captives were treated with leniency.[39] Long was conveyed to the city of Mexico, and the independence of which he professed himself a supporter having been achieved, he was granted his liberty. In 1822, wishing to enter the barracks of Los Gallos, and being refused admission, he struck the sentinel, who thereupon shot him dead.[40]

Perez was complimented by the king for his success. *Gaz. de Mex.*, 1820, xi. 1190.

[38] *Niles' Reg.*, xx. 191, 223–4, 383.

[39] Report of Gaspar Lopez, acting commandant general of the internal provinces, to Iturbide, dated Saltillo, Oct. 19, 1821, in *Gac. Imp. Mex.*, i. 129–32; *Niles' Reg.*, xxi. 375; *Alaman, Hist. Mej.*, v. 239, 478–9.

[40] *Tornel y Mendivil, Breve Reseña*, 147; *Suarez y Navarro, Hist. Mex.*, 85; *Filisola, Mem. Hist. Guerra Tex.*, i. 110–11. Foote's account is very different from that given in the text, and is incorrect. He states that Long held possession of La Bahía till the achievement of independence by Iturbide; that he was then invited by the new government to visit the capital, 'that he might receive appropriate honors as one of the champions of civil liberty;' that he became an object of suspicion to Iturbide, and that secret orders for his assassination are supposed to have been issued. Being on a visit to a government officer, he was shot by a soldier from an adjoining piazza while producing his passport to the guard at the gate. The reader can form his own opinion as to the probability of an assassination being perpetrated under such circumstances and so openly. *Tex.*, i. 216–17. Kennedy, *Texas*, i. 301, erroneously states that 180 prisoners were taken at La Bahía and sent to Mexico; and that they were released by the interference of the American envoy Poinsett. Yoakum also asserts that the men were released and sent home Nov. 11, 1822, at the instance of Poinsett. This statement is based on

The condition of Texas in 1821 was deplorable. After the expulsion of Long in 1819 every intruder who had settled in the country was driven off, his buildings were destroyed, and his cattle driven away. Vast regions were destitute of inhabitants, and the populated districts did not contain 4,000 civilized beings.[41] Agriculture was almost entirely neglected, and provisions were so scarce even in San Antonio as to be the subject of frequent report by Governor Martinez to the commandant general at Saltillo,[42] while the traveller ran a dangerous risk of perishing by hunger. The north-eastern borders had become the asylum of criminals, and the abode of bands of armed desperadoes engaged in smuggling; villanous gangs of ruffians from Lafitte's piratical establishment drove their troops of Africans with impunity through the land, introducing them into Louisiana for sale;[43] and savage Indians hovered on the outskirts of the interior towns. But this was the most gloomy period in the history of Texas—the darkest hour of her existence. The dawn was already about to break.[44]

a remark made by Poinsett, in his *Notes on Tex.*, 164–5, with date Nov. 11th, to the effect that he 'had asked and obtained the liberty of 39 men, who were imprisoned in Mexico on charge of conspiring against the governor of Texas. About one half of them are American citizens.' There is no doubt that these men belonged to Long's expedition. See McHenry's account, in *Linn's Reminis.*, 68–74.

[41] The author of *Pretensiones de los Anglo-Americanos*, writing in 1820, says, page 7, note 1: 'En el dia no tiene la provincia cuatro mil almas de poblacion.'

[42] The commandant general, writing to Iturbide Oct. 19, 1821, says that Long and his fellow-prisoners were removed from San Antonio to Saltillo 'en consideracion de ser aquel pueblo'—San Antonio—'sumamente escaso de recursos, segun lo que constantemente representa el Sr Gobernador.' *Gac. Imp. Mex.*, i. 131.

[43] *Niles' Reg.*, xxi. 48, 400.

[44] The following authorities have been consulted for the history contained in the preceding chapters: *Zavala, Rev. Mex.*, i. 285, 384–5; *Gonzales, Coleccion N. Leon*, 253–60, 353–5; *Cancelada, Ruina N. España*, 39–43; *Id., Tel. Mex.*, 432–5, 455–6; *Disposic. Varias*, i. 132; *Gac. de Méx.*, (1812) iii. 1087–91; (1813) iv. 925–7, 970–1, 1139–51, 1159–63, 1247–9; (1814) v. 27–31, 37–9, 804–5, 814–16, 820–21, 871–2; (1817) viii. 787–90, 807–9, 987–9, 1167–8; (1818) ix. passim; (1819) x. 144, 1363; xi. 1190; *Ducallon, Colonie Esp. du Miss.*, 51–63; *Young's Hist. Mex.*, 93–8, 127–77; *Edinb. Review*, no. 147, pp. 254–5; *Gaines, Corresp. sobre Paso del Sabina*, pp. vii.–xv.; *Cavo, Tres Siglos*, iii. 219; iv. 92–5; *Hartmann, Le Texas*, 1–24, 45–7, 100–49, 172–236; *Guerra, Rev. N. Esp.*, ii. 370, 372, 711–13; *Bustamante, Cuad. Hist.*, i. 123, 262, 329–50; iv. 157–60; *Id., Gabinete Mex.*, ii. 25–6; *Id., Campañas de Calleja*, 44, 178–85; *Fuisola, Mem. Hist. Guerra Texas*, i. 32–4, 39–40, 44–86, 109–10; *Maillard's Hist. Texas*,

19–27; *Mexico in 1842*, 154; *Pretensiones Anglo-Amer.*, 2–7; *Tornel, Tejas y los EE. UU.*, 21–5, 80–8; *Tornel y Mendivil, Hist. Mex.*, 137–47; *Larenaudière, Mex. et Guat.*, 228–9; *Onis, Mem. sobre Negoc.*, passim; *Thrall's Hist. Tex.*, passim; *Moffit's Report*, in *Thompson's Rec. of Mexico*, 175–6; *Jay's Mex. War*, 10–11, 19–20; *Zerecero, Rev. Mex.*, 196; *Suarez y Navarro, Hist. Mex.*, 84–5; *Pinart Coll., Chih. Book*, i. 15–24; *Benton's Abr. Debates Cong.*, vi. 122, 458; *Revue Amér.*, ii. 534, 549; *Holley's Texas*, 302, 304–9; *Velasco, Son.*, 249; *Jenkins' Mex. War*, 30; *Swisher's Am. Sketch Book*, vi., no. 5, pp. 359–65; *Direct. San Ant.*, 1877–8, 10–28; *Conder's Mex. and Guat.*, 101–17; *Rivera, Hist. Jalapa*, i. 268; ii. 382–3; *Pino, Nuevo México*, 40–1; *Mosaico Mex.*, i. 80; ii. 270, 419; *Guthrie's Univ. Geog.*, i. 396; *Blanchard et Dauzats, San Juan de Ulúa*, 527; *Willson's Amer. Hist.*, 624–30, *U. S. Govt Docs*, 8th Cong. 2d Sess., Sen. Jour., 413; *McCabe's Comprehensive View*, 757–8; *Meline's 2,000 Miles on Horseback*, 234–45; *Domenech's Miss. Adv.*, 20; *Id., Jour.*, 23; *Arispe, Memorial*, passim; *Humboldt, Essai Polit.*, ii. 822; *Foote's Texas*, i. 149–68, 185–217, 392–400; *Le Champ d'Asile*, passim; *Texas Alm. 1861*, 70–3; *Hutchison's Rem.*, 196–8; *Gomez del Campo, Apuntes Hist.; Estrella de Occid.*, Sept. 4, 1868, p. 4; *Pike's Expl. Travels*, 364–70, 391–436; *Torrente, Revol. Hisp. Am.*, ii. 101–2; *Abad y Queipo, Informe; Nouv. Annales Voy.*, xlvii. 6–11, 23; *Peterson's Milit. Heroes*, ii. 68; *Dicc. Univ. Hist. Geog.*, ix. 515–17; x. 274–5, 289; ap. i. 139; *Almonte, Not. Est. Texas*, 13; *Amer. State Pap.*, xx. passim; *Grattan's Civilized Amer.*, 254–82; *Kennedy's Texas*, passim; *Soc. Mex. Geog. Bolet.*, ii. 6; vii. 138; xi. 90; 2da ép., ii. 630–1; *Hidalgo, Apuntes Hist. Proy. Monarq. en Méx.*, 33–5. *Abney's Life and Adv.*, 83–90, 125–41; *Agüeyo, Diario*, in *Doc. Hist. Texas*, 437; *Gac. de Pan.*, Aug. 11, 1870; *Brackenridge's Mex. Letters*, i., letter 2; *Baker's Hist. Texas*, 30–1; *Barber's Hist. West. States*, 656–7; *Falconer's Discov. Miss.*, 41–52; *North Am. Review*, xliii. 234–43; *Diario Mex.*, 235; *Democ. Review*, vi. 33–42; *Noticioso Gen.*, July 23, Sept. 12, Oct. 27, 1817; Nov. 30, 1818; Feb. 12, 1819; *Méx., El Virey de N. Esp.*, 2–5; *Id., Apuntes Hist. Guerra*, 6–16; *Mora, Rev. Méx.*, iv. 269–70, 449; *Loreto Mission Records*, MS., 45–6; *Varios Impresos*, 2, no. vi. 25–50, 67–8, and table no. 4; *L'Héroïne du Texas*, 1–118; *Murray's Hist. Acct and Discov. in N. Am.*, i. 479–87; *Revista Mexicana*, 416, 421–3; *Shea's Cath. Miss.*, 87; *Amer. Antiquarian Journal*, Oct. 21, 1881; *Amer. Reg.*, ii. 88–103; *Freeman and Custis' Acct Red River in La*, 1–63; *Monette's Hist. Discov. and Settlement Valley Miss.*, ii. 454–84; *Papeles Varios*, no. cvi., pt 1; no. cxlix., pt 10; no. clvii., pt 4; no. clxii., pt 1; no. ccxv., pt 2; *Mayer, MSS.*, nos 3, 4, 5, 5½, 25, 30; *Claiborne, Extract Letter to Sec. of State of U. S.*, Dec. 27, 1803; *Real Orden*, 30 de Mayo de 1804; *Id.*, 12 de Abril, 14 y 24 de Mayo de 1807; *Id.*, 15 de Enero de 1808; *Robin, Voy. dans la Louisiane*, iii. 117–36; *Annals of Congress*, 1804, p. 1026; 1804–5, app. 1499–1502; 1805, p. 18–19; 1805–6, app. 1206–16; 1806, p. 11, 190; 1806–7, index 'Burr,' app. 913–26; 1807–8, vols i.–ii., index 'Burr'; 1817, p. 14; 1818, ii. app. 1786–1800; 1819, ii. 1629–2131; 1820, ii. 1719–82; 1820–1, app. 1337–1469; *Alaman, Disert.*, iii. 373–5; *Id., Méj.*, i. 296–7; ii. 96–7, 170–2; iii. 67, 479–94; iv. 553–9, 566–7, 693–4, 711–13; v. 478–9; *Zamacois, Hist. Méj.*, vi. 86–8; vii. 194–201, 216–19; viii. 530, 599–600; ix. 85–8, 202–24; x. 251–2, 260–2, 271, 278–80; *Yoakum's Hist. Texas*, i. 1–208, passim; *Niles' Reg.*, iii. 34, 64, 104, 144, 272, 352; iv. 120, 248, 280, 313; v. 87–8, 104, 152; viii. 436; ix. 33–4; x. 402; xi. 32, 206; xiii. 253, 287–93, 301–4, 335, 338; xiv. 65–88, 393–4, 408, 424; xv. 6–7; xvi. 42–6, 347, 365–6, 384, 440; xvii. 31–2, 175, 208, 240, 304, 352, 395–6; xviii. 273; xix. 112, 191, 396–7; xx. 155, 191, 223–4, 383; xxi. 48, 375, 400

CHAPTER IV.

COLONIZATION AND THE EMPRESARIO SYSTEM.

1819–1831.

Spain Relaxes her Exclusive Policy—Biography of Moses Austin—His Colonization Scheme—He Petitions for a Land Grant in Texas—His Sufferings and Death—Internal Affairs of Mexico—Beginning of Austin's Colony—Difficulties, Dangers, and Losses—Stephen Austin in the City of Mexico—Delay and Anxiety—Final Success of his Petition—Discretionary Powers Granted Austin—Progress of the Colony—Austin's Government—Greedy and Discontented Settlers—Erroneous Idea about Immigrant Criminals—Scattered Settlements—A New Contract—The Empresario System—Colonization Law of Coahuila and Texas—Influx of Immigrants—Empresario Enterprises—Their Partial Success—Progress of Texas.

If the reader will glance back at the history of Texas, he will find that no advance in the colonization of that fertile country was made during the period of Spanish domination. The reason of this, apart from the exclusion of foreigners, lay mainly in the aversion of the Spanish creoles to agriculture, and the dangers to which settlers were exposed. Enterprise in New Spain was chiefly directed to the development of mines, while the cultivation of the soil was performed for the most part by the passive Indians. In Texas —an essentially agricultural province—the conditions were reversed. There were no mines to be developed, nor were there peaceable natives who could be made to till the ground. It therefore offered no inducements to Spanish Americans to migrate from safe and settled districts to a remote region where a few

ill-garrisoned presidios could afford little or no protection to the cultivator against the stealthy attacks of hostile Indians. Thus the colonization of Texas was confined to the establishment of a few settlers in the immediate vicinity of these military posts. Two of these only, San Antonio de Béjar and La Bahía del Espiritu Santo, developed into towns of any consideration. Later attempts of Spain to colonize the country at the beginning of the present century met with no success. The undertaking projected by the Spanish government and placed under the direction of General Grimarest[1] failed of accomplishment on account of the breaking-out of hostilities between Spain and England; nor did other settlers who were introduced into Texas about this time effect any expansion of the community. It remained for peaceable immigrants from the United States to accomplish a work of progress which Spain had proved herself incompetent to perform, and which had been beyond achievement by force of arms on the part of adventurers.

I have already related how anxious Spain was to people Texas, immediately after the purchase of Louisiana by the United States, and so protect herself against encroachments by occupancy of the country. Her intentions, however, were frustrated by the dreadful wars in which she soon became engaged, and the revolutions which broke out in her colonies. In the emergencies to which she was reduced she relaxed her exclusive policy, and official proclamations were published inviting colonists of all classes and nationalities to settle in her American dominions. The treaty of amity of February 22, 1819, having confirmed her in the possession of Texas, Spain felt herself in a position to remove the exclusion of Anglo-Americans as colonists on her territory,[2] which hitherto had been

[1] The colony was to have consisted of 3,000 persons, natives of Old Spain. *Kennedy, Tex.*, i. 309.

[2] Although settlers of other nationalities were admitted as colonists, Anglo-Americans were rigidly excluded from obtaining grants of lands. See *White's Col. Laws*, ii. 401–3, and *Cortes Act. Ord.*, 1813, i. 404.

insisted upon in all colonization schemes. At the same time the royalist power at this period seemed to be firmly reëstablished in Mexico, the revolution having been wellnigh suppressed, and the pacification of the country almost consummated. It was reasonable, therefore, to suppose that the Spanish government would give satisfactory assurances to Anglo-Americans who might wish to obtain in a legal manner grants of land in Texas. The first American who availed himself of this new order of things was Moses Austin, who in December 1820 made an application for permission to introduce a colony of 300 families into the province.

Moses Austin, a native of Durham, in the state of Connecticut, was born about the year 1764. At the age of twenty he married Maria Brown in Philadelphia, and soon afterward established a commercial house in Richmond, Virginia, in partnership with his brother Stephen, who was at the head of a large importing business at Philadelphia. The two brothers a few years later purchased conjointly the Chissel lead mines, on New River, Wythe county, Virginia, where they established smelting-works and factories for the manufacture of shot and sheet lead. Adventurous speculation, however, brought reverses upon the houses in Philadelphia and Virginia, and Moses Austin, who was a man of enterprise and perseverance, obtained, in 1797, a grant from Baron de Carondelet, governor-general of Louisiana, conferring upon him one league of land, including the Mine-a-Burton, afterward called Potosí, situated forty miles west of St Genivieve. Having closed his affairs in the United States, he removed thither with his family in 1799, and laid the foundation for the settlement of what is now Washington county, Missouri. Austin resided for many years at Mine-a-Burton, where he won the respect of the early settlers by his upright conduct and public spirit. But the very qualities which gained for him the affection of all who knew him occasioned

another reverse of fortune. He had become a large stockholder in the Bank of St Louis, and when, in 1818, that institution was involved in ruin, Austin surrendered the whole of his property for the benefit of the creditors. But adversity did not damp his ardor or depress his enterprising spirit, and although now in his 55th year, he conceived the bold idea of undertaking to establish an extensive colony in Texas, of the resources and fertility of which country he had long been aware.

In turning his attention to the settlement of the wildernesses of Texas, Austin was not moved by the spirit of adventure which had originated previous attempts to occupy Texas. His intention from the first was to proceed legally, and after careful inquiry as to the best mode of making application to the Spanish government for a grant of land, having been advised to lay the subject before the Spanish authorities in New Spain, he undertook the long and dangerous journey from Missouri to San Antonio de Béjar with that object. Having taken into council and concerted plans with his son, Stephen Fuller—by which it was arranged that the younger Austin should proceed to New Orleans to make preparatory arrangements for the transportation of emigrants—Moses Austin proceeded on his journey, and arrived at San Antonio at the beginning of December 1820. At first he only met with rebuff and disappointment. Although in 1799 he had become a naturalized Spanish subject in upper Louisiana, he had failed to provide himself with the necessary passport before starting on his journey, and when he presented himself before the governor, he was peremptorily ordered to leave the province immediately. In bitterness of heart he left the governor's house to make preparations for his departure, but on crossing the plaza he met Baron de Bastrop,[3]

[3] Felipe Henrique Neri, Baron de Bastrop, was a native of Prussia, and served as a soldier of fortune under Frederick the Great. He afterward entered the service of the king of Spain, who sent him on a special mission to Mexico. While Louisiana was under the dominion of Spain, he obtained a

with whom he had been acquainted many years before. Bastrop interested himself in Austin's undertaking, and by his influence a second interview was obtained with Governor Martinez, who, after some deliberation, forwarded Austin's memorial to Arredondo, the commandant general of the eastern internal provinces, with a strong recommendation in its favor from the local authorities of the province.

Leaving the matter thus pending, Austin started on his return in January 1821. The privations and sufferings which he underwent on this journey were most severe. He was frequently obliged to cross the swollen rivers and creeks by swimming or rafting, and as the country between San Antonio and the Sabine was then a desolate wilderness, all settlements having been destroyed after Long's inroad in 1819, he was pinched with hunger. The exposure, hardships, and fatigue broke down his health. He reached Natchitoches in an exhausted condition and afflicted with a cold which had settled on his lungs. After recruiting his strength somewhat, he resumed his journey and arrived at Missouri in the spring. But his constitution was undermined; the cold on his lungs terminated in inflammation; and on June 10, 1821, he breathed his last, having received a few days before information that his petition had met with success. He was in his 57th year when he died.[4]

In order better to understand the difficulties and

grant of 30 miles square between the Mississippi and Red rivers, 400,000 acres of which he ceded to Aaron Burr, on which the latter intended to plant a colony as a nucleus for his meditated expedition against Mexico. When Louisiana was re-ceded to France, Bastrop became a citizen of San Antonio de Béjar, in which city he was one of the alcaldes when Austin visited it. In 1824 he became land commissioner, and in that year as well as in 1827 he represented Texas in the legislature of the state of Coahuila and Texas. He died in 1828 or 1829. *Thrall's Hist. Tex.*, 498.

[4] This sketch of the life of Moses Austin is mainly derived from the account given by his son Stephen in 1829, to the settlers in 'Austin's colony,' copy of which will be found in *White's Col. Laws*, i. 559–61. Kennedy, having had before him the *Biographical Notice of Moses Austin*, by Mirabeau B. Lamar, supplies some few particulars not noticed by the son. *Texas*, i. 310–13, 316–18. Mrs Holley and subsequent writers add nothing of importance to the biography of Moses Austin obtained from the above authorities.

delays which attended the establishment of this first Anglo-American colony in Texas, it is necessary to glance at the internal affairs of Mexico, and note the various changes of government which occurred during the next three years. The proclamation of the plan of Iguala by Iturbide, in February 1821, was responded to all over New Spain by revolutionary patriots and royalist commanders alike, and O'Donoju's recognition of the independence of Mexico by the treaty of Córdova, in August of the same year, terminated the long struggle, and freed the country forever from the Spanish yoke. On the occupation of the capital, September 27th, by the army of the three guarantees, a provisional government was immediately formed, consisting of a 'junta gubernativa,' and a regency which represented the absent monarch —whoever he might be—who was expected to accept the throne of Mexico.[5] In five months' time the junta resigned its powers to the national congress, which was installed February 24, 1822, and the government of the regency lasted till May 19th following, when Iturbide was proclaimed emperor by a popular émeute, which compelled the congress to ratify the wishes of the rabble. His empire only lasted till March 1823, when he in turn was forced to abdicate by a revolution initiated by Santa Anna. Then followed a republic under a supreme executive power, which in 1824 was changed to a federal system in imitation of the government of the United States. Thus in the space of four years there were no less than four different forms of government.

When Moses Austin died he left an injunction that his son Stephen, then in New Orleans, should prose-

[5] According to the treaty of Córdova, Mexico was declared an independent empire, and princes of Spain were to be invited to reign over it in the following order: In the first place, Fernando VII., catholic king of Spain; by his renunciation or non-admission, his brother Cárlos; for the same reasons, next after him, his other brother, Francisco de Paula; next Cárlos Luis, a prince of Spain; and in case of his renouncing or not accepting, then such person as the imperial córtes may designate. *Hist. Mex.*, iv. 728, note 46, this series.

cute the enterprise. The memorial presented by the father was granted January 17, 1821, by the supreme government of the eastern internal provinces, the grant giving him permission to introduce 300 families into Texas. In energy and perseverance Stephen F. Austin was in all respects his father's counterpart. Having received information of the appointment of a special commissioner by Governor Martinez to communicate the result of the application and conduct the families into the country, Stephen repaired to Natchitoches, where he met the commissioner, Erasmo Seguin. He then proceeded with seventeen companions and Seguin to San Antonio de Béjar, where he arrived August 10th. He was officially received by the governor, who gave him permission to explore the country on the Colorado River and select an advantageous position for the settlement. Accordingly he proceeded to La Bahía, and thence commenced his explorations, which were continued as far as practicable up the Colorado and Brazos rivers. Being convinced of the fertility of this tract of country, he returned to Louisiana, and published in the papers particulars of the scheme. Austin had furnished a plan for the distribution of land to settlers, which the governor had approved. It was to the effect that each head of a family was to receive 640 acres, 320 acres in addition for the wife should there be one, 100 acres in addition for each child, and 80 acres in addition for each slave. Each single man also would obtain a grant of 640 acres. The conditions imposed on the grantee, as set forth in the official document of January 17, 1821, were: that the colonists introduced should be catholics, or agree to become so, before entering the Spanish territory; that they should be provided with credentials of good character and habits; should take the necessary oath to be obedient in all things to the government; to take up arms in its defence against all enemies; to be faithful to the

king; and to observe the political constitution of the Spanish monarchy.[6]

As a fund was indispensable for the establishment of the colony, it was advertised that each settler would have to pay twelve and a half cents per acre for his land, Austin taking upon himself the cost of surveying, procuring titles, and all other expenses. The money was to be paid in instalments after receipt of title. A portion of it was also designed for purposes of government, defence against hostile Indians, and to furnish supplies for poor immigrants. He moreover considered that he was entitled to provide means of remunerating himself for his labors and expenses, as well as promote the welfare and prosperity of the colony. Indeed, he had cousulted Governor Martinez on the matter, who could see no reason to suppose that the government would interfere with any private arrangement of that nature.

The project attracted attention, and was viewed with favor by many persons. In December 1821 the first colonists arrived, and the new settlement was commenced on the Brazos River at the Bahía crossing; but difficulties, hardships, and much suffering were encountered. During the first few years unyielding perseverance and forbearance had to be put in practice. Supplies of food, seed corn, and implements several times failed to reach their destination. The schooner *Lively*, from New Orleans, had been lost at sea in November 1821, and the heavy expense which her fitting-out had caused was of no benefit to the settlement. Another cargo, which reached the mouth of the Colorado, the place of rendezvous, was destroyed by the Karankaways in the autumn of 1822, and the settlers were reduced to great distress, having to subsist on the produce of the chase, to provide which was difficult and dangerous, owing to the hostility of the Indians.[7]

[6] *White's Col. Laws*, i. 586–7.

[7] During this period the condition of Texas was so deplorable, owing to

In March 1822 Austin repaired to San Antonio to report progress, and there learned for the first time that under the change in political affairs he would have to obtain from the Mexican congress a confirmation of the grant conceded to his father by the Spanish government, and receive special instructions relative to the distribution of land, and other details connected with the grant. This was a sore disappointment. He would have to travel 1,200 miles by land on roads infested by banditti and deserters, and he was ill prepared for such a journey. Nevertheless he did not flinch from the undertaking, but disguised in ragged clothes and a blanket, passed himself off as a poor traveller going to Mexico to petition for compensation for services in the revolution. He reached the capital in safety on April 29, 1822. A long delay, however, occurred before Austin could obtain attention to his business. Iturbide was proclaimed emperor soon after his arrival; then followed the dissolution of congress, and the establishment of a 'junta instituyente;' such political changes were not favorable to despatch. Moreover, several petitions to establish colonies had been presented at this time, and though Austin tried to procure a special law in his favor, a committee was appointed to frame a general colonization law, which when drawn up was slowly discussed in detail. Then when the congress was dissolved a new committee was nominated by the junta instituyente, and the work was begun again. Finally a law was passed, approved by the emperor, and promulgated January 4, 1823.[8] The next step was to obtain a recognition of his claim; and fortunately the minister of relations, José Manuel Herrera, and the subminister, Andres Quintana, were favorable to the immigration of foreigners, besides other influential persons, among whom may be mentioned Anastacio

the inroads of Indians, that all imports, native or foreign, were made free of duty for seven years. *Mex. Guia de Hac.*, iv. 21–2.

[8] It was suspended, however, a few months later, on the fall of Iturbide.

Bustamante, then captain-general of the internal provinces. The claim, moreover, of Austin was a valid one, and he was able to place his petition before the council of state in such strong light that on January the 14th that body reported favorably, and on February 18, 1823, an imperial decree was published confirming the original grant made in favor of Moses Austin by Spanish authorities.

When Austin was about to leave the capital, February 23d, he was still further detained by the political convulsion which terminated in the abdication of Iturbide on the 19th of March, and the congressional decree of April 8th annulling all the acts of his government. In consequence of this decree Austin was again compelled to petition congress to confirm the concession granted by Iturbide. That body referred his memorial to the supreme executive power, and at the same time—by decree of April 11th—suspended the colonization law of January 4, 1823. On April 14th the supreme executive confirmed the imperial decree of February 18, 1823. Thus after a year of anxiety Austin was enabled to return with his grant confirmed by the Mexican governments which had been in power during that time.

With regard to the government of the new colony, it was committed, in general terms, to Austin, by the decree of February 18, 1823,[9] and on his arrival at Monterey he applied to the commandant general, then Felipe de la Garza, for special instructions. The application was referred to the provincial deputation of Nuevo Leon, Coahuila, and Texas, which passed a resolution to the effect that Austin's powers under the above-mentioned decree were full and ample as to the

[9] The decree translated reads thus: 'He is authorized to organize the colonists into a body of national militia, to preserve tranquillity, rendering an account to the governor of Texas, and acting under his orders, and those of the captain-general of the province; also, until the government of the settlement is organized, he is charged with the administration of justice, settling all differences which may arise among the inhabitants, and perserving good order and tranquillity; rendering an account to the government of any remarkable event that may occur.' *White's Col. Laws*, i. 593–4.

administration of justice, and the civil government of the colony; that he was empowered to command the militia, with the rank, as a militia officer, of lieutenant-colonel; that he could make war on the Indian tribes which molested the settlement; could introduce supplies by the harbor of Galveston for the colony during its infancy—in short, govern the colony, in all civil, judicial, and military matters, without copies of laws, until the government was otherwise organized and copies of the laws provided. He was to render an account of his acts to the governor of Texas, and be subject to him and the commandant general. The local government was thus committed to him with extensive powers, without specific instructions of any kind, or the guidance of written laws.[10]

Austin now proceeded on his way to Texas, and Luciano García, then governor, appointed, July 17th, Baron de Bastrop commissioner to survey lands for the colonists, and extend, in concert with Austin, titles to them in the name of the government. By an official act, García, on the 26th of the same month, gave the name of San Felipe de Austin to the future capital of the new colony. In August the commissioner commenced his duties; the town was laid out, and the land-office opened. When Austin arrived, in company with Bastrop, he found the settlement almost abandoned in consequence of his long detention in Mexico. Many of the settlers had retired to other localities, and with the immigrants who kept arriving had settled around Nacogdoches, and on the Trinity and Ayist Bayou rivers. Immigration, too, had almost ceased, while those who abandoned Austin's colony, having no titles to the lands they had occupied, were liable to ejection by the government.

[10] *Austin, To the Settlers*, in *Id.*, i. 571–2. The particulars in the above account have been obtained from *Tex. Translation of Laws*, etc., 6–19—the introduction to which was written by Austin, and is a history of the establishment of his colony. *Kennedy's Tex.*, i. 318–27; *Yoakum's Hist. Tex.*, i. 211–27; *Rivera, Hist. Jalapa*, iii. 25; Filisola, *Mem. Hist. Guer. Tex.*, i. 123–6; *Col. Dec. Sob. Cony. Mex.*, 110–11; *Mex. Col. Leyes, Ord. y Dec.*, ii. 94; *Holley's Tex.*, 284–7; *Texas Almanac*, 1859, 157–8; *Foote's Texas*, i. 221–3.

Nevertheless, in spite of this disheartening state of affairs, the news of his return and the success of his undertaking attracted settlers in such numbers that in 1824 the stipulated 300 families had arrived.[11] Bastrop's labors having been interrupted by his duties as a member of the deputation of Texas, and a second time in consequence of his having been elected a member of the legislature of the state of Coahuila and Texas.[12] Gasper Flores was specially commissioned to complete the work. By the end of the year the land titles and surveys were all settled and the colony commenced its prosperous career.

I have already mentioned that the colonization law promulgated January 4, 1823, was suspended on the fall of Iturbide. Austin's grant had been, nevertheless, confirmed in conformity with that law, and the new settlers, instead of receiving land in the quantities and proportions as advertised by him, had much larger allotments assigned to them. Heads of families each received one square league, or sitio, of grazing land, and one labor of tillage land,[13] in all 4,605 acres, while an unmarried man was granted one quarter of a square league.[14]

Austin saw that to discharge the duties connected with the civil and judicial administrations, and at the same time manage the colonial land business, was beyond his power. During his absence the settlement had been divided into two alcalde districts by José Felix Trespalacios, then governor of Texas. These Austin continued, and likewise formed additional

[11] A list of the names of the original 300 colonists introduced by Austin is supplied by Baker, who obtained it from the records of the land-office. *Bakers, Texas*, 557–61.

[12] Coahuila and Texas were formed in one state in 1824.

[13] The square league was a tract 5,000 varas square, and contained 4,428 acres. The labor was 1,000 varas square, or one twenty-fifth part of a sitio. It contained 177 acres. Five sitios composed one hacienda. *Coloniz. Law of 1823*, in *Holley's Tex.*, 197–8.

[14] *Dewees' Letters*, 49. Dewees, however, makes the square league 4,444 acres, which is incorrect, the vara being approximately 33⅓ inches.

ones as occasion required, directing that in such cases the justice should be chosen by popular election. To these alcaldes he gave jurisdiction in civil matters to the extent of $200, the suitors having the right of appeal to himself in all sums over twenty-five dollars. He also drew up a civil and judicial code of provisional regulations, which was approved by the governor. In September 1824 he nominated Samuel M. Williams secretary of the local government, which appointment was also approved, and with his assistance opened a book of record, in which all land documents and title deeds were registered.[15]

But it mattered not how deeply he had at heart the welfare of his colonists, or how drudgingly and gratuitously he toiled in their behalf; it mattered not how great was the responsibility under which he lay, or how often he untied his purse-strings to secure to the penniless immigrant his grant of land and supply his wants—there would be growlers. When the time arrived for the payment of the twelve and a half cents per acre, charged upon the lands by agreement for the formation of a fund, partly to be employed in meeting the expenses of government, and partly in reimbursing Austin for outlays made by him, violent opposition was raised. It was loudly asserted that he was selling the lands to the settlers; that he was exacting payments which he had no legal right to claim; that in fact he was speculating upon the immigrants. Austin considered that he had entered into an equitable contract with them in a public and open manner; but from the temper displayed, he saw that to attempt to enforce his claims would jeopardize the object he had in view of colonizing the country. Therefore, although many were willing to comply with their engagements, he not only desisted from his demands, but declined to accept payment from any unless it were made by all. The result was, that under the original contracts he never received a dollar, and the payments

[15] *Tex. Translation of Laws*, etc., 21–2.

on land titles were regulated by a fee-bill published by the governor of Texas, May 20, 1824, covering commissioners' fees, surveying expenses, and other costs.

Then, again, the assistance rendered to poor immigrants by Austin, who procured for them the means of defraying the fees on their lands, and settling thereon, aroused the jealousy of others, who charged him with partiality, and with making unjust distinctions. His extensive and discretionary powers, also, with regard to the reception of settlers, the government of the colony, and the distribution of land exposed him continually to abuse. Every act of his was closely watched by severely scrutinizing eyes. The men he had to deal with were a mixed multitude, ignorant of the language and laws of their adopted country, and many of them turbulent spirits. With no interpreters among them, they had no means of gaining any information as to the orders of the government and the laws, except through Austin and his secretary; and though these indefatigable workers, with infinite toil, supplied them with translations in manuscript, the settlers were suspicious, captious, and uncompromising. They made no allowance for his peculiar position, but expected to find in an infant colony the regularity and organized system which only the experience of a long-established community can develop. Austin was greatly embarrassed by the want of a written code of laws, the exhibition of which in support of his official acts was incessantly demanded with clamorous emphasis. Moreover, while his discretionary powers were regarded with aversion on the one hand, and objected to, they were indorsed and appealed to when avarice could be gratified by the exercise of them. Greedy immigrants, not content with their square league of land, demanded more, and when it was refused, conceived themselves treated with injustice by one who could comply with their wishes if he chose. The greatest patience and for-

bearance were necessary to deal with such settlers, and prevent the refractory from producing a state of anarchy which would have ruined the prospects of the colony. Yet with so much prudence and moderation, so much of temperate compliance and firm refusal, did Austin manage the affairs, that though on more than one occasion dissension was so violent and popular excitement rose so high as to require his utmost energy to allay them, no blood was ever shed in civil strife, and as time passed on he gained the general confidence and esteem of the settlers.[16]

The idea prevailed in the United States and Europe that the early colonists of Austin's settlement were composed of fugitives from justice, and criminals from all countries. This erroneous opinion is rebutted by Austin, who, in 1829, says that naturally some fugitives would find their way into the country, but measures were taken at an early day, both by the government and himself, to shield Texas from that evil. During 1823 and 1824 he banished several from the colony, under the severest threats of corporal punishment if they returned, and in one instance inflicted it. The fact that he had no force with which to expel these intruders, except the militia composed of the settlers themselves, proves that the men of that class were very few in his colony. His settlement, he maintained, as regarded morality and the commission of crime, could bear favorable comparison with any county in the United States, however celebrated for its exemption from criminal offences.[17]

[16] *Id.*, 26–9. Austin to Edwards, 1825, in *Foote's Tex.*, i. 302–4. Foote writes—*Id.*, 300—'It is confidently believed that at the period of the death of this extraordinary personage...there was not a man, women, or child in all Texas...who was not inclined to do hearty homage to the extraordinary wisdom and unsurpassed virtues of this efficient and truly philanthropic champion of free institutions.' Mrs Holley says: 'Amidst all the slanderous imputations that have been uttered against him, he finds sufficient consolation in the general confidence of all the intelligent and worthy part of the settlers.' *Texas*, 294.

[17] *Tex. Translation of Laws*, etc., 29. Yet Filisola goes so far as to say that he was robbed of all the fruits of his toil and hardships by a second deluge of adventurers and criminals; 'los que en realidad le arrebataron despues el nuevo aluvion que sobrevino de aventureros y criminales con que se

Austin's colony was an exceptional one. No specified limits had ever been assigned to his grant, and his immigrants, being of a rambling disposition, had scattered themselves over a large extent of country, each settling in the locality which most pleased him. Although this dispersion at first was attended with inconvenience and additional expense in the matters of government and protection, it was permitted in the belief that, if the settlers could sustain themselves against Indian attacks, the expansion, by affording facilities to new immigrants, would be of more ultimate benefit to the country than a cluster of coterminous grants. The advantage of this system in time became apparent, when provisions could be procured in all directions, without the necessity of transportation from places far distant. As all the intervening vacant lands were public domain, Austin now turned his attention to settling them, and in 1824 and 1825 made several petitions to the state government with that object. The result was, that on May 20, 1825, permission was granted him to settle 500 families on the unoccupied lands lying within his colony, the limits of which were still undefined.[18]

After the Mexican provinces had declared themselves free, and possessed of sovereign rights, and the federal system had been established, a national coloni-

aumentó la poblacion, y que se apoderaron de sus tierras.' *Mem. Hist. Guerra Tej.*, i. 137.

[18] *Tex. Translation of Laws*, etc., 20–1. Austin signed the contract June 4th, from which date it took effect. He had previously applied for a contract to settle 300 families, which being granted, the number was afterward increased to 500. See the contract in *White's Col. Laws*, i. 610–13. The limits of the colony were thus defined March 7, 1827: 'Commencing on the west bank of the river San Jacinto, at the termination of the ten-league reserve'—art. 4 of the national colonization law, and art. 7 of that of Coahuila and Texas—'from the gulf of Mexico, and thence following the right bank of said river to its head, thence due north to the road leading from Bexar to Nacogdoches; thence following said road westwardly, to a point from whence a line due south will strike the La Baca to within ten leagues of the gulf of Mexico, and thence eastwardly along the said ten-league line, parallel with the coast, to the place of beginning.' *Ib.;* Report of the gov. of Coah., in *Tornel, Tex. y Estad. Unid.*, 28.

zation law was enacted August 18, 1824,[19] one of the items of which authorized the legislatures of the different states to form colonization laws for the occupancy of the public domains within their respective territories, on terms that were not at variance with the federal constitution. Accordingly, the newly formed state of Coahuila and Texas,[20] having organized its government, the legislature, on March 24, 1825, decreed such a law.[21] It will be observed by referring to this law, and to the one enacted by the junta institutiva, January 4, 1823, that the policy pursued, in order to procure the settlement of unoccupied territory by foreigners, was to confer tracts of the public domains upon persons who should introduce at their own expense a certain number of immigrant families. This plan is known as the 'empresario system.'[22] The regulations with regard to this system of colonization were as follow: The empresario first presented a memorial to the state government asking for permission to colonize certain waste lands which were designated, as well as the number of families he proposed to introduce. To afford ample choice to the settlers, the tract designated and usually conceded by the government was greatly in excess of the appropriation to be finally made; but after the establishment of the settlement and the completion of the allotments to the colonists, and the assignment of the 'premium land' to the empresario, all surplus land reverted to the state. The distribution of the allotments was under the control of a commissioner,[23] appointed by the state

[19] Translations will be found in *White's Col. Laws*, i. 601–2; *Holley's Texas*, 202–4.

[20] By decree of May 7, 1824. *Hist. Mex.*, v. 22, this series; *Mex. Col. Leyes Ord. y Decret.*, iii. 46–7.

[21] Copy in Spanish and English will be found in *Coah. Leyes y Decretos*, 14–23.

[22] 'Empresario,' meaning 'contractor.'

[23] The commissioner was an important functionary. His duties were to examine colonists' certificates; to administer the oath of allegiance to them; to issue the land titles; and appoint the surveyor. He selected the sites for the founding of towns; established ferries; and presided at the popular elections for the appointment of ayuntamientos of new towns, and inducted the officers chosen. All public instruments, titles, or documents were to be

government, but he had no power to make an assignment without the approval of the contractor. If the contractor failed to introduce the stipulated number of families within the term of six years, he lost his rights and privileges in proportion to the deficiency, and the contract was totally annulled if he had not succeeded in settling 100 families. The premium granted to a contractor was five square leagues of grazing land and five labores of tillage land for each hundred families, but he could not acquire premium on more than 800 families.[24]

With regard to the settlers comprehended in a contract, each family whose sole occupation was farming received 177 acres—one labor—of agricultural land; and if it engaged in stock-raising also, a grazing tract sufficient to complete a square league was added. Those families whose sole occupation was cattle-raising received each a square league, less 177 acres. An unmarried man received one fourth of the above quantity. The government of the state alone could increase these quantities in proportion to the size of a family and the industry and activity of colonists. Eleven square leagues was the limit of land that could be owned by the same hands as prescribed by the national colonization law.

For each square league, or sitio as it was denominated, the colonist paid an emption sum of $30 to the state, $2.50 for each labor not irrigable, and $3.50 for one that was irrigable; but these payments were not demanded till after the expiration of six years from time of settlement, and then only in three instalments at long intervals. Contractors and the military were

written in the Spanish language, and he was required to form and furnish a book of record for each new town. *Coah. Leyes y Decretos*, 70–3. His fees, by decree of May 15, 1828, were fixed at $15 for each sitio distributed, $2 for each labor not irrigable, and $2.50 for each irrigable one. *Id.*, 106. By decree of Apr. 1, 1830, the surveyor's fees were rated at $8 and $3 respectively, for the survey of a sitio and labor, and $1.50 for that of a town lot. *Id.*, 146.

[24] By art. 12 of the national colonization law, no one could own more than 11 square leagues, while it was possible for a contractor to own over forty. He was, however, required to alienate the excess by sale or otherwise within 12 years. *Id.*, 17.

exempt from this quittance. The incoming settler was, moreover, subject to the payment of the commissioner's and surveyor's fees, and to the charges for the sheets of stamped paper on which the order for the survey was granted and his title deed issued. With other minor items, the total cost of a sitio was about $180.[25]

It cannot be denied that the terms offered to foreigners as an inducement to settle in Texas were most liberal. There are, however, two points noticeable in this famous colonization law which manifest a lack of wisdom in the framers; namely, the requirement that the foreign settlers should take oath to observe the religion prescribed by the federal constitution; and the preference given to Mexicans. In the first case, the condition, if scrupulously carried out, would exclude all but Roman catholics, and to a great extent defeat the object of the law. No empresario could have introduced any large number of colonists under such a proviso if strictly adhered to, and few would have been found to make the attempt in face of

[25] More general regulations contained in the colonization law of Coahuila and Texas, upon which I have drawn for the above details, are the following: All foreigners were not only at liberty to settle in the state, but were invited to do so. Settlers were required to profess the catholic faith, and prove their morality and good habits; they could then project the formation of new towns on vacant lands, and pursue any branch of industry they thought proper. No settlement could be formed within 20 leagues of the boundary line between Mexico and the United States, or within 10 leagues of the coast of the gulf of Mexico. In the distribution of lands, preference was to be given to the military entitled to them, and to Mexican citizens not military. Indians were to be received in the markets of colonial towns without paying duty, for traffic in the products of the country, and if they declared themselves in favor of the religion and institutions of the country, were to be admitted as settlers on the same terms as the colonists. The government would sell to Mexicans, and to Mexicans only, such lands as they might wish to purchase, to the extent of 11 sitios. Settlers who failed to cultivate their lands within six years lost their right of possession. A colonist might dispose of his land by testamentary will, but no such land could be held in mortmain. Foreigners who acquired land by this law became naturalized. During the first ten years, counting from its establishment, a new settlement was to be free from all contributions, except in war time, and all produce of agriculture and industry were to be exempt from every kind of duty. Forty families united might proceed to found a town, and one of not less than 200 inhabitants was to elect an ayuntamiento provided no other one had been established within 8 leagues of it. With regard to the introduction of slaves, new settlers were to be subject to existing laws and those which might be later enacted on the matter.

almost certain loss. The consequence was, that in practice neither the contractors nor the settlers were at all scrupulous about the matter, and in this point the third article of the decree became almost a dead letter.[26] In the second case, the natural result was the promotion of jealousy and ill feeling between the foreign immigrants and the Mexican settlers, when harmonious coalescence ought to have been the object aimed at.

After the promulgation of the state colonization law, a tide of immigration into Texas set in from the United States, which in a few years converted her wildernesses and wastes into thriving farms and lucrative cattle-ranges; while town after town, busy under the impulse of progress, sprung up in rapid succession. Empresarios flocked into the country, bringing settlers in their wake, and eager immigrants, in no connection with contractors, moved into Texas at their own expense and obtained land grants. On the 15th of April, 1825, Robert Leftwich and Hayden Edwards obtained contracts, the former to introduce 200 families,[27] and the latter 800. The same year Green Dewitt and Martin de Leon obtained contracts, the former to settle 300 families in the district southwest of Austin's colony, and the latter to found with 150 families a villa, to be named Victoria, on the Guadalupe.[28]

During succeeding years numerous other contracts were made, and nearly the whole surface of Texas was parcelled out to different empresarios; though none of these fulfilled their contracts, with the exception of Austin, who was the only thoroughly success-

[26] The fifth article calls for a certificate from the authorities of the place whence the settler migrated, vouching for his morality and good habits, and for his being a catholic.

[27] Leftwich's contract was first applied for in 1822, when Austin was in the city of Mexico. *Tex. Translation of Laws*, 12, note. After much controversy, it finally fell into the hands of the Nashville Co. of Tennessee, Leftwich having been their agent. *Dewees' Letters*, 116.

[28] *Ib.; Yoakum's Hist. Tex.*, i. 234; *Dewees' Letters*, 115–16, 118.

ful contractor, some of them partially colonized their land grants. I will mention the principal undertakings under the empresario system.

Benjamin R. Milam contracted, January 12, 1826, to settle 300 families in the district lying north-west of the San Antonio and the Nacogdoches road, between the Guadalupe and Colorado rivers, and bounded on the north-west by a line parallel with the road, and fifteen leagues distant from it.

James Powers, June 11, 1826, engaged to form a settlement of 200 families in the country south of Leon's grant, and bounded on the south by the Nueces River.

McMullen and McGloin contracted, August 17, 1826, to settle, with 200 families, the district lying west of the ten-league reserve as exhibited on Stephen Austin's map of Texas, 1835.

Joseph Vehlein contracted, December 21, 1826, to introduce 300 families into the district which nearly corresponded with the grants of Zavala and Whelin as shown on the same map. Vehlein's grant, however, was limited by the twenty-league border line on the east, and the ten-league coast reserve on the south.

David G. Burnett, December 22, 1826, engaged to colonize with 300 families the land grant shown under his name on the map.

John Cameron contracted, May 21, 1827, to settle 100 families on a grant of land located north of 32° latitude and west of 102° longitude. On August 18, 1828, he also obtained a large grant south of Red River.

Stephen Austin obtained a grant of land to the west of Dewitt's colony, November 20, 1827, for the settlement of 100 families; and in 1828 he was permitted by the federal government to settle the ten-league reserve of coast land lying between his colony and the sea. In February 1831 Austin, in partnership with Samuel Williams, obtained a large grant

with the engagement to settle thereon 800 Mexican and other families.

Lorenzo de Zavala acquired his grant March 6, 1829, contracting to colonize it with 500 families.

General Vicente Filisola contracted, October 12, 1831, to colonize with 600 foreign families, the district designated under his name on the map.[29]

AUSTIN'S MAP OF 1835.

Many other contracts were made, some of which were never carried into effect, and the grants reverted

to the government, while others were merged in new concessions. But though the empresarios were only partially successful in their enterprises, Texas was steadily progressing. Her population increased so rapidly that whereas in 1821 the number of her inhabitants, exclusive of Indians, did not exceed 3,500, in 1830 it amounted to nearly 20,000;[30] and the natural resources of the country were already greatly developed. But the time had arrived when Mexico, by her misrule and jealous apprehensions, alienated these thriving settlements of a free-spirited race, and drove them to take up arms in defence of their rights.[31]

[29] The above list of empresarios and their grants is obtained from *Dewees' Letters*, 115–18, and the report of the governor of Coahuila and Texas to the supreme government, in *Tornel, Tej. y Estad. Unid.*, 27–38. The first edition of Austin's map was published in 1833.

[30] *Austin, Espos. sobre Tejas*, 8, in *Pap. Var.*, 167, no. 10; *Mex. Apunt. Hist. Guerra*, 16; *Ramsey's Other Side*, 18; *Almonte, Not. Estad. Tej.*, 25, 50, 67, and table no. 4. In 1827 the population was estimated at about 10,000. *La Oposicion*, 1 En., 1835, 2; *Cor. Fed. Mex.*, 12 Mar., 1827, 3.

[31] On the subject of the colonization of Texas and the empresario system, the authorities that have been consulted are: *Tornel, Tejas y los EE. UU.*, 25–47; *Id., Hist. Méx.*, 147–58; *Zavala, Viage á los Estados Unidos*, 149–52; *Id., Rev. Méx.*, ii. 128–9; *Méx. Mem. Relac.*, 1823, 34; *Id., Mem. Relac.*, 1831, 20; *Id., Col. Leyes*, 1829–30, 102; *Id., Col. Leyes, Órd. y Dec.*, ii. 94, 183; *Filisola, Mem. Hist. Guerra Tex.*, i. 111, 122–6, 136–41, 553–67; *Dewees' Letters from Texas*, 23–50, 112–19, 134–41; *Kennedy's Texas*, i. 270–2, 316–41, 359–61, 377; *Hunt's Address to People of Tex.*, 22–4; *Swisher's Amer. Sketch Book*, vol. iv., no. 2, pp. 154–5; no. 4, p. 201; vol. vi., no. 5, pp. 365–75; *Ludecus, Reise*, 56–8; *Austin, Esposic. sobre Tejas*, 8, 13–14; *Arrillaga, Recop.*, 1834, 47–50; *Doménech, Journal d'un Miss.*, 23–4; *Id., Miss. Advent.*, 20; *Holley's Texas*, 195–231, 281–300, 309–10; *Houston's Texas*, i. 196–201; *McCabe's Comprehensive View*, 759–60; *La Oposicion*, Jan. 1, 1835; *Niles' S. Am. and Mex.*, i. 252–6; *Id., Reg.*, xi. 207, 380; xxiii. 80; xxvii. 112; xxx. 242; xxxi. 3; *Guerra entre Méx. y los Est. Un.*, 16; *Guia de Hac. Rep. Mex.*, iv. 21–2; *Mexico in 1842*, 6–7; *Mex. Coah. and Tex. Colonization Law; Papeles Varios*, no. cxi., pt 2; no. clxvii., pt 10; *North Am. Review*, xliii. 244–5; *Tex., Address Relating to Galv. Bay and Tex. Land Co.*, pp. 1–37, and ap. 1–68; *Id., Translation of Laws, Orders, etc.* (Columbia, 1837), p. 81; *Coah. y Tex., Leyes*, 15–23, 70–4; *Edinb. Review*, no. 147, p. 257; *La Minerva*, May 8, 1845; *Rockwell's Span. and Mex. Law*, 648–52; *El Constitucional*, March 22, 1844; *Méx., Col. Dec. sob. Congr. Mex.*, 110–11; *Tex. Alm.*, 1858, 145–75; 1859, 153–60; 1868, 171–7; *White's Coll. Laws*, i. 559–622; *Modern Traveller Mex. and Guat.*, ii. 29–31; *Cor. Fed. Mex.*, March 12, 1827; *Noticioso Gen.*, Feb. 14, 1821; *Méx., Informe Comision Pesquisidora*, 1874, 9; *Id., Rept Mex. Border Comm.*, 244–5; *Córtes, Act. Ord.*, 1813, i. 404–5; *Id., Diario*, xxii., June 18, 1821, pp. 35–6; *Foote's Texas*, i. 221–9; *Thrall's Hist. Texas*, 147–70, 175–6, 479–82, 498; *Willson's Amer. Hist.*, 631–3; *Blanchard et Dauzats, San Juan de Ulúa*, 529–30; *Nouv. Annales Voy.*, cliv. 357; *Howitt's Hist. U. S.*, ii. 343; *Rivera, Hist. Jalapa*, iii. 24–5; *Varios Impresos*, 2, no. vi., 20–1; *Bustamante, Gabinete Mex.*, ii. 15–21; *Suarez y Navarro, Hist. Méj.*, 242–6, 315–19; 395–406; *Hutchinson's Rem.*, 194–6; *Almonte, Not. Est. Texas*, 14, 20–5; *Larenaudière, Mex. et Guat.*, 229.

CHAPTER V.

THE STATE OF COAHUILA AND TEXAS.

1800–1839.

DESPOTISM IN COAHUILA—INTERNAL GOVERNMENT—RESOURCES AND CONDITION OF THE PROVINCE—CHARACTER OF THE PEOPLE—COAHUILA DURING THE WAR OF INDEPENDENCE—FORMATION OF THE STATE OF COAHUILA AND TEXAS—ORGANIZATION OF A GOVERNMENT—THE STATE CONSTITUTION—ELECTION LAWS—FIRST CONSTITUTIONAL CONGRESS—VIESCA ELECTED GOVERNOR—POVERTY OF THE TREASURY—COMMERCIAL INTRUDERS—OFFERS OF THE UNITED STATES TO PURCHASE TEXAS—THE SLAVE QUESTION IN TEXAS—THE COLONISTS ANGRY—CONDITION OF THE MEXICAN PEON—THE EMANCIPATION LAW—EXCEPTION IN FAVOR OF TEXAS—PERSECUTION OF SPANIARDS—SUBSERVIENCY OF THE STATE TO THE NATIONAL GOVERNMENT—ADMINISTRATION OF JUSTICE—EDUCATION AND RELIGION—MONOPOLY PRIVILEGES GRANTED TO COLONISTS.

PREVIOUS to the year 1824 Texas had no political connection with Coahuila, each forming a separate province under the supreme rule of the commandant general of the provincias internas de oriente.[1] As the internal administration of both these provinces was identical during the Spanish domination, nothing further need be said with regard to that of Coahuila, in addition to the description given in a former chapter of the government of Texas, except that Coahuila being a far richer and more populous country, the temptations presented to a practically absolute ruler were greater. Thus corruption and injustice were practised, and tryanny and oppression exercised, on a proportionately larger scale in Coahuila than in Texas.[2]

[1] Under the Spanish domination the province of Coahuila was called Provincia de Nueva Estremadura. *Peña*, in *Mayer*, MS., no. 19, p. 22.

[2] 'Unfortunate provinces!'—says Arispe in his memorial to the regency,

The commandant general ruled as it suited him; and while possessing even superior power to the viceroy, there was really no semblance of a check upon his authority, except the presence of his legal adviser, the auditor de guerra, who generally did nothing more than approve and support his opinions. With regard to internal administration, remoteness from the centre of supreme government rendered the supremacy of the local governors almost as absolute as that of the commandant general,[3] and reduced their responsibility to a mere cipher. Consequently, in the administration of so-called justice, every enormity was practised that enmity or covetousness suggested, and venalty and corruptness made easy of perpetration. Liberty, honor, and property were alike assailed.[4]

As in the case of Texas, the number of the inhabitants of Coahuila can only be approximately obtained. The Tribunal del Consulado assigned to it a population of 40,000 in 1803, while Humboldt for the same year places the figures as low as 16,900.[5] Pike, four years later, states that the population was estimated at 70,000 souls, 10,000 only of whom were Spaniards; and this number is indorsed both by Arispe and Guerra.[6] Again, Navarro y Noriega calculated that the total number of inhabitants of all races in 1810 was 42,937.[7] With such varying estimates before me, I shall leave the reader to draw his own conclusion on the subject.

At this time there were in Coahuila no less than

Nov. 1, 1811—'I wish not to be personal, but I know that every enormity has been committed there.' p. 26. This memorial was printed at Cádiz in 1812, and a translation of it published in Philadelphia in 1814.

[3] 'I am therefore not at all astonished at the excesses of many governors, at their arbitrary and despotic rule; I rather wonder that they have not all been uniformly despots and tyrants.' *Id.*, 27.

[4] 'I have many times known respectable and useful citizens suffer such scandalous vexations, and even die broken-hearted, at finding it impossible to vindicate their honor, and recover their property of which they had been defrauded with such scandal and injustice.' *Id.*, 31.

[5] *Soc. Mex. Geog.*, ii. 6; *Essai Polit.*, 155.

[6] *Pike's Exped.*, ap. iii. 29; *Arispe, Mem. Coah.*, 9; *Guerra, Hist. Rev. N. Esp.*, ii. 370, note.

[7] Thus divided: Spaniards, 13,285; Indians, 12,437; Castes, 17,215. *Soc. Mex. Geog.*, 2a ép., i. 291.

twelve Spanish towns, the most populous and thriving of which were Saltillo, Monclova, Parras, and Santa Rosa.[8] The first of these only was governed by a cabildo; Monclova had two alcaldes and a syndic, and Parras a subdelegado, two alcaldes, and a syndic; all other towns were under the jurisdiction of lieutenants of the governor, who could appoint or remove them at his pleasure by a simple official letter. This was a grievous and despotic system of government, and it was not likely that impartial justice would be meted out in Coahuila. Arispe, who was deputy to Spain for this province, vehemently pleaded before the córtes for redress of these grievances, and suggested the establishment of a superior executive council for the four eastern internal provinces, of a high court of appeal, and of provincial deputations and local cabildos or municipalities.[9]

At Monclova, Santa Rosa, San Fernando de Rosas, and Rio Grande were stationed garrison companies of veteran calvary, whose duties were to protect the frontier, furnish detachments for the missions,[10] escort their own supplies of money and clothing from Sal-

[8] Pike gives the estimated population of Parras as 7,000; that of Monclova 3,500; and that of Santa Rosa, 400. *Ut sup.*, 28. According to Guerra, Saltillo in 1811 had about 12,000 inhabitants. *Hist. Rev. N. Esp.*, i. 364. Arispe, 1811, gives to the town and district of Parras 10,000 inhabitants, and to those of Monclova 6,000. *Mem. Coah.*, 29.

[9] On May 23, 1812, the Spanish córtes passed a decree ordering the formation of cabildos. In all towns with a population not exceeding 200 there were to be elected by vote of the citizens one alcalde, two regidores, and one procurator syndic; in towns with not more than 500 inhabitants, one alcalde, four regidores, and one procurator; in those with not more than 1,000 inhabitants, but exceeding 500, one alcalde, six regidores, and one procurator; in towns with a population from 1,000 to 4,000, two alcaldes, eight regidores, and two procurators, the number of regidores to be augmented to twelve in those towns which had more than 4,000 inhabitants. The capitals of provinces were to have at least twelve regidores; and should they possess more than 10,000 inhabitants, their number was to be sixteen. *White's Col. Laws*, i. 416–18. Rules for the guidance of alcaldes were decreed Oct. 9th of the same year. *Id.*, 419–20. In 1813 the córtes decreed the establishment of an intendencia at Saltillo, and in 1814, of a provincial deputation, representing Coahuila, Nuevo Leon, Santander or Tamaulipas, and Texas, assigning Saltillo as the place of residence. *Córtes Diario*, 1813, xviii. 423; *Córtes, Act. Ord.*, 1814, ii. 266.

[10] Arispe mentions 5 Indian missions; namely, Vissarron, Dulce Nombre de Jesus, Peyotes, Juan Bautista, and Nuestra Señora de la Victoria. *Mem. Coah.*, 10.

tillo, and conduct the bimonthly mail to Texas from Monclova, which town was the principal military depot of the province and the governor's place of residence.

Under a less oppressive government, the province of Coahuila, with its fertile soil, its genial climate, and pure atmosphere, would have been, as an abiding place, all that the heart of man could desire. There the cultivator could produce in profuse abundance corn and wheat and wine, delicious fruits and delicate vegetables. There, too, the cotton-tree thrived, and on the rich pasture lands flocks of sheep and herds of cattle and horses multiplied.[11] But the incubus of commercial and agricultural monopoly pressed heavily on the land. The avaricious merchants of San Luis, Querétaro, and other manufacturing cities smothered development in the provincias internas. In Coahuila no factories made busy the population of a town; the hum of machinery was not heard; and the industrious women plied the primitive spindle and distaff to supply their household wants, and produce a few marketable commodities.[12] Thus the people had to depend upon the exportation of their flocks and mules,[13] and raw materials; and their wool and cotton, their hides and wheat, were returned to them in manufactured form, charged with the expenses of transportation and alcabala duties, and with the profits of the outside manufacturer, the merchant, and the retail dealer. Even the agricultural implements of iron were imported, though the manu-

[11] Arispe says—p. 20—'The most interesting branch is the breeding of sheep, to which so much attention is paid that, after furnishing many thousand head to the markets of Saltillo, Parras, and other places of the provinces, vast numbers are exported to Zacatecas, San Miguel, Querétaro, Mexico, and Puebla.' Cotton was produced in such quantity that after supplying the four provinces, many thousand quintals were exported to furnish the factories at San Luis Potosí, San Miguel, Zelaya, Silao, Leon, and places in Guadalajara. *Id.*, 19.

[12] With these simple contrivances, shawls and table-cloths were manufactured of such durability and fineness that they never sold for less than eight dollars, and frequently as high as forty or fifty dollars. *Id.*, 21–2.

[13] Besides keeping up a stock of 3,000 pack-mules, 2,000 were annually exported. *Id.*, 20.

facture of that metal and of wood was tolerably well advanced in Saltillo[14] and Parras.

One of the most productive industries of Coahuila was the cultivation of the vine, which, despite the prohibitions against it, was developed to a considerable extent in the district of Parras.[15] Combined with this agricultural pursuit was the only manufacturing business that can be rightly claimed for the province. Great quantities of excellent brandies and delicious wines were manufactured yearly and exported to Mexico and other parts of New Spain. These two industries afforded employment to the whole population of the district, no other occupation being pursued.[16]

The inhabitants of Coahuila were a thoroughly pastoral and agricultural people, and their character was formed from the nature of their occupations. Here were to be found simplicity and insensibility to intrigue, untiring industry and patience under severe labor, the endurance of privations without murmur, and a deep-rooted love of liberty. Both the social and political morals of this rural population were of a higher standard than those of the inhabitants of the manufacturing and mining districts of New Spain.[17]

During the war of independence, Coahuila was little disturbed by the battle-din which shook the foundations of the more southern provinces. A bloodless revolution and counter-revolution at first caused

[14] At Saltillo the manufacture of cotton was also somewhat advanced, and in 1811 above 40 looms for weaving coarse cloths had been erected. The artisans, however, labored under the want of protection, and were compelled to sell at low prices the production of one week's work in order to procure raw cotton for the next. *Id.*, 22.

[15] The meaning of Parras is 'grape-vines.' Pike calls it the 'vineyard of Coahuila.' At the hacienda of San Lorenzo, three miles to the north of the town, he saw 15 large stills, and a greater number of casks than he had ever seen in any brewery of the U. S. *Ut sup.*, 28.

[16] *Ib.;* Arispe states that the number of inhabitants of this district was 10,000. *Mem. Coah.*, 18.

[17] *Arispe, ut sup.*, 16. 'As we diverged from these parts which produced such vast quantities of the precious metals, the inhabitants became more industrious and there were fewer beggars. Thus the morals of the people of Cogquilla (sic) were less corrupt than those of Biscay or New Leon, their neighbors.' *Pike, ut sup.*, 29.

temporary agitation. Governor Cordero, deserted by his troops, falls into the hands of the independent leader Jimenez, and Aranda becomes revolutionary governor. His turn soon arrives, and he is seized by the plotter Elizondo. Then follows the capture of Hildalgo and the other leaders at La Noria, who with Aranda are marched off to Chihuahua, where most of them suffer death, a few only being condemned to long imprisonment.[18] From this time to the downfall of the monarchical power in New Spain, Coahuila remained in quiet possession of the royalists, unmolested except by the predatory incursions of wild Indians.

But the people thirsted none the less for freedom, and when the news arrived in 1821 of the proclamation of the plan of Iguala, an uncontrollable agitation pervaded the province. Arredondo, the commandant general, then residing in Monterey, the capital of Nuevo Leon, in vain attempted to arrest the tide of popular feeling. Lieutenant Nicolas del Moral was sent against Saltillo in command of a company of the line grenadiers of Vera Cruz, followed by the whole battalion, under the lieutenant Pedro Lemus. Moral, however, on his arrival proclaimed, July 1st, the independence. The authorities did likewise, and Lemus entered the city, after having administered to his troops the oath to support the plan of Iguala. Arredondo, thus abandoned, convoked a general assembly of the authorities of Monterey, at which it was unanimously resolved to adopt the plan. The commandant general submitted with good grace, and independence was proclaimed July 4th. But he could not win thereby the good-will and obedience of his former sorely pressed subjects. The authorities and forces at Saltillo refused to recognize him, and in disgust he surrendered his command to Gaspar Lopez, the first officer of the trigarante army who approached. Ar-

[18] Among the latter was Aranda, who was sentenced with four others to imprisonment for ten years. *Alaman, Hist. Mej.*, ii. 190; *Hernandez y Davalos, Col. Doc.*, i. 76. Consult *Hist. Mex.*, iv. 240, 272, this series.

redondo then retired to San Luis Potosí, whence he proceeded to Tampico, where he embarked for Habana.[19]

The political convulsions which presently occurred in the Mexican capital after the establishment of independence were but slightly felt in the provincias internas de oriente, which, under the empire, were governed as previously, by a political and military chief. In 1823, however, after the fall of Iturbide, a junta was convened at Monterey, composed of delegates representing Coahuila, Nuevo Leon, Tamaulipas, and Texas. This junta represented to the provisional government that the four provinces wished to be separated, and were desirous that the federal system should be adopted.[20] That form of government having been proclaimed by the constituent congress, Coahuila, Nuevo Leon, and Texas were formed into one state by the acta constitutiva, promulgated January 31, 1824. On May 7th, however, a decree was passed which detached Nuevo Leon and raised it to the rank of an independent state, while Coahuila and Texas were provisionally united until the latter should possess the necessary elements to form a state of itself.[21] This political division was confirmed by the federal constitution published October 4, 1824.

The new state at once proceeded to form its government. A constituent congress was elected, and assembled at Saltillo in August 1824. A provisional governor was appointed,[22] and an executive council created to assist him in his administration.[23] By de-

[19] *Alaman, Hist. Mej.*, v. 238–9.

[20] *Bustamante, Cuad. Hist.*, MS., viii. 177; *Id., Hist. Iturbide*, 160.

[21] 'Pero tan luego como esta última'—Texas—'estuviere en aptitud de figurar como estodo por sí sola, lo participará al congreso general para su resolucion.' *Mex. Col. Ord. y Dec.*, iii. 46, where a copy of the decree will be found.

[22] Rafael Gonzalez was provisional governor in 1825, and Victor Blanco in 1825–1827. *White's Col. Laws*, i. 612, 615.

[23] Composed of a vice-governor and four members. The council was appointed by congress, and the first one created was by decree of Aug. 31, 1825. The members were José Ignacio de Arispe, vice-governor ad interim, Juan de Goribar, José Ignacio Sanchez, José Ignacio Alcocer, and José Ignacio de Cardenas. *Coah. y Tex. Leyes y Dec.*, 32.

cree of August 28, 1824, the functions of the political chief[24] and the deputation of Texas were declared to have ceased, as had already been the case with respect to the authorities of the same class in Coahuila; and a few months later a political administrator, styled 'chief of the department of Texas,' was provisionally established.[25] In its first decree, August 15, 1824, the constituent congress pledged the state of Coahuila and Texas to sustain at all hazards the supreme federal powers, and declared its form of government to be representative, popular, and federal, divided into the three powers, legislative, executive, and judicial.

During the next two years a number of decrees were passed regulating the attributes, restrictions, and duties of the executive and officials, establishing election laws, creating judges of responsibility, and relating to other matters connected with the internal government of the state.[26] It was not until March 11, 1827, that the constitution of the state was published. Every officer and citizen was required to take oath to sustain it—a regulation which, in view of the third article, must have been acquiesced in with grim dissatisfaction by the enlightened Coahuilan. In that

[24] José Felix Trespalacios was the last political and military governor of Texas under the old system. *Almonte, Not. Estad. Tej.*, 14. He was succeeded in 1823 by Luciano García, who served provisionally as such. *White's Col. Laws*, i. 595. Trespalacios, in April 1823, had pronounced in favor of Iturbide. *Bustamante, Hist. Iturbide*, 161–2.

[25] José Antonio Saucedo, succeeding García in 1824, was the first to bear this title. *White's Col. Laws*, i. 597–9; *Coah. Leyes y Dec.*, 8, 11. The chief of department was authorized to impose fines from one to one hundred dollars on those who did not obey or respect him; he had also power to make arrests, but only on the express terms that within 48 hours he placed the arrested party at the disposal of a competent tribunal or judge. He was not to allow any person to appropriate lands, and was to give circumstantial information to the government with respect to those who had already done so. Béjar was to be his place of residence; he commanded the local militia, and was to preside over all popular juntas, as well as over the ayuntamiento of Béjar, or any other place in the department where circumstances might require his presence. At the sessions of ayuntamientos, however, he had no vote, except a casting one in case of a tie. Moreover, he was the sole channel of communication between his subordinates and the government. *Id.*, 11–14.

[26] On March 27, 1826, a general amnesty was proclaimed, by which all political prisoners were released from confinement, and those banished were to be assisted by the government to return to their homes. *Id.*, 34–6.

article it is set down that "the sovereignty of the state resides originally and essentially in the general mass of the individuals that compose it; but they shall not of themselves exercise any other acts of sovereignty than those indicated in this constitution, and in the form which it prescribes."[27] Such a restriction speaks loudly of the timidity with which the framers of the constitution regarded untrammelled freedom of the people. The state was divided into three departments—namely, those of Saltillo, Monclova, and Texas—which number was increased later to four, by detaching Parras from Saltillo.[28] The constitutional congress to be presently elected was to consist of twelve members, two of whom was to represent Texas.[29] These representatives were not elected directly by the people, but by the system of primary and secondary elections adopted elsewhere in the Mexican republic. In a district which sent up only one deputy, eleven electors were popularly chosen, and twenty-one in those which sent up two or more representatives. These electors appointed by a majority of votes the deputies for their respective departments. The number of deputies was to be increased in proportion to the increase of the population of a department. Other provisions of the constitution were to the effect that the profession of any other religion than the Roman catholic was forbidden; freedom of the press was declared, but subject to existing restrictions, and such future ones as should be established by law; and by the thirteenth article all children born of slave parents on the territory of the state were pronounced free, the introduction of slaves six months after the publication of the constitution being strictly prohibited. A

[27] *Mex. Col. de Constitut.*, i. 196; in which volume a copy of the constitution will be found.

[28] *Id.*, 197. The state was finally divided into seven departments: Saltillo, Parras, Monclova, and Rosas in Coahuila, and Béjar, Brazos, and Nacogdoches in Texas. *Almonte, Not. Estad. Tej.*, 14.

[29] By the convocation law of March 23, 1827, the districts of Saltillo, Parras, and Monclova were to elect three deputies each, Texas two, and Rio Grande one. Saltillo was to send up two suppletories, and each of the other districts one. *Coah. Leyes y Dec.*, 47.

candidate for the governorship was required to be a native of the republic, 30 years of age, and to have been domiciliated in the state five years. The governor's term of office was four years; he was elected by the people, and had the prerogative of appointing the political chiefs of departments, each appointed being chosen from three candidates nominated by the executive council, the number of whose members was reduced from four to three.

On March 23, 1827, the convocation law for the election of the first constitutional congress was published, and on July 1st following, the assembly met in session. On the 4th the number of the votes cast for the elections of governor, vice-governor, and the executive council was made known, with the following results: José María Viesca was elected governor; Victor Blanco, vice-governor; and Santiago de Valle, Dionicio Elizondo, and José Ignacio de Cardenas councillors.[30]

The greatest difficulty with which the new legislature had to contend was the question of finance. Texas, if not an actual burden to the state, was little less. Though yearly increasing in population and wealth, she contributed nothing to the revenue, owing to the exemption of the colonists from taxation, and the privilege granted them of introducing supplies of all kinds free of import duties. To such straits was the government reduced that many offices were suspended for want of money to pay the salaries.[31] Every resource was resorted to in order to increase the rev-

[30] *Id.*, 63. José Ignacio Arispe had been acting as provisional governor. *Mex. Col. Constitut.*, i. 195, 273. In *Correo Fed. Mex.*, 21 Jul., 1827, will be found a list of the names of the deputies from the different departments.

[31] Congress, in view of the embarrassments of the state treasury from want of funds by decree of April 17, 1828, suspended the office of councillor until the state should be able to defray the expense thereof, the governor being directed to act by himself. The vice-governor was only to receive pay when officiating on account of death, sickness, or absence of the governor. The establishment of a treasury was postponed; and the department and district chiefs, with the exception of the one in Texas, were temporarily suspended in the exercise of their functions, the ayuntamientos being ordered to communicate directly with the executive through their alcades. *Coah. y Tex. Leyes*, 101

enue. The cock-pits were leased at auction to the highest bidder; billiard-tables were taxed at $24 per annum; and a duty of two per centum was charged on the circulation of money, whether the destination of the coin was to a place within or without the territory of the state; funds were borrowed from the church, and all persons, females excepted, whether they derived their incomes from rents, salaries, or wages, from business or industrial occupations, were taxed to the amount of three days' income per annum.

What added to the perplexities of the government during this period was the alarming decline of the internal trade of the state. This was chiefly owing to the influx of foreign dealers, who introduced cotton and woollen goods with ruinous effect upon the native merchants and retailers. The native business was so paralyzed that congress was under the necessity of legislating on the matter, and thereby gave grievous offence to the Anglo-American colonists in Texas. In April and May 1829, decrees were passed prohibiting foreign merchants, of whatever nation, from retailing goods or importing coarse cotton or woollen stuffs not manufactured in the republic.[32] The opening of the port of Galveston by decree of October 17, 1825,[33] afforded facilities to these commercial intruders, while the exemption law in favor of the colonists offered temptations to engage in smuggling which were not very stoutly resisted.

A breach between the Mexicans and the Anglo-American settlers had indeed already been opened. Apart from the fact that the immigrants brought with them the principles of law, liberty, and religion which prevailed in the country of their birth, and which could not be conducive to amalgamation with the

[32] They were only allowed to sell at wholesale, and for cash. *Id.*, 117, 126–7. Dewees engaged, in 1826–7, in one of these trading enterprises. *Letters from Tex.*, 55–6.

[33] *Guia de Hac. Rep. Mex.*, iv. 308; *Mex. Mem. Minest.*, 13, no. iv. The port of Matagorda, as also that of Matamoros in Tamaulipas on the Rio Grande, had been opened to trade in 1820. *Lerdo de Tejada, Comerc. Estad.*, 21.

natives, their great influx and steady success not only excited jealousy, but began to be watched with apprehension by both the state and federal governments. The covetous solicitude to gain possession of Texas evinced by the United States aggravated the anxiety of Mexico and the disfavor with which the colonists were being regarded. It was hard for the suspicious Mexican not to believe that the Anglo-Americans within his borders did not secretly cherish the hope that the territory would be eventually annexed to the northern republic. The action of the government at Washington certainly tended to foment such aspiration. Only a few years had elapsed after the treaty of 1819 with Spain when the United States pretended to foresee future trouble, and began to express dissatisfaction at the agreement they had entered into. In March 1825 Henry Clay, in a letter to the envoy, Joel R. Poinsett, spoke of difficulties that might arise from the boundary agreed upon. He considered the line of the Sabine nearer to the great western commercial capital of the United States than was desirable, and instructed that minister to sound the Mexican government as to its inclination to the adoption of a new boundary, suggesting as such the Brazos, the Rio Colorado, or the Rio Grande.[34] In March 1827 Poinsett was authorized to make a specific proposition on the matter, by which the United States would agree to pay $1,000,000 if Mexico would consent to the Rio Grande being made the boundary;[35] if this were unattainable, half that sum was to be offered for the Colorado line. Neither of these proposals was received by the Mexican government, nor would the congress take into consideration a treaty of amity, commerce, and navigation, on the point of being concluded between the two nations, unless it contained an article which renewed the existence of the treaty celebrated by the cabinets

[34] *Congress. Debates*, 1837, ii. ap. 125–6.

[35] The boundary proposed was to begin at the mouth of the Rio Grande, pass up that river to the Rio Puerco, thence to the source of the latter, whence it was to run due north to the Arkansas. *Id.*, 127.

of Madrid and Washington respecting the territorial limits. This resolution rendered it imperative to settle that question first, and on January 12, 1828, a protocol was signed by Poinsett on the part of the United States, and S. Comacho and J. Y. Esteva on that of Mexico, by which it was agreed that the dividing line between the two countries should be that fixed upon by the treaty of 1819 with Spain. Nevertheless the United States still persisted in their object. In August 1829 instructions were sent to Poinsett to open negotiations for the purchase of so much of Texas as Mexico could be induced to cede. Four different cessions were suggested, the corresponding boundary lines beginning respectively at the mouths of the Rio Grande, the Baca, the Colorado, and the Brazos. Poinsett was authorized to offer as high as $5,000,000 for the first-named line, and for the others, amounts proportionate to the extent of territory that would be ceded. But Poinsett never received these instructions. His officious meddling with the internal affairs of the Mexican republic had gained for him the dislike of the government. His recall was demanded and acceded to, and his successor, Anthony Butler of Mississippi, made no progress in his negotiations for the purchase of Texas.

Another cause of suspicion, and consequent want of confidence between the Mexican authorities and the settlers, was the temporary freedom of the latter from molestation by the Indians. During the first three or four years of the colony's existence the settlers had been grievously troubled by these savages, and had engaged in numerous conflicts with them.[36] The signal punishment, however, which they inflicted upon the aggressors won for them the respect and awe of the wild tribes around them; and while in the Mexican district of Béjar the Indians even carried their depredations with impunity into San Antonio, the Anglo-

[36] For particulars of fights with Indians, see *Dewees' Letters*, 37–42, 50–2 54–5; and *Yoakum's Hist. Tex.*, i. 221–6

American colony was left in comparative peace. This exemption, gained entirely by the determination and courage of the settlers, was attributed to a sinister understanding with the Indians.

While the jealous fears of the state government that its liberal policy had overshot the mark became more and more confirmed, certain legislative acts, which it was expected would be corrective of past mistakes and preventive of foreshadowed trouble, irritated the settlers. The slave laws of 1827, and the prohibitory one of 1829, respecting foreign merchants, caused great offence. By decree of September 15, 1827, the constituent congress manifested its intention not only to carry out strictly the thirteenth article of the constitution, but also to acquire the gradual emancipation of slaves already introduced. Ayuntamientos were ordered to keep a list of all slaves in their respective municipalities, designating age, name, and sex. A register of the deaths of slaves and the births of slave-born children was also to be rigidly kept. Slaves whose owners had no apparent heirs were to become free immediately on the decease of their masters; and on each change of ownership, even in the case of heirs succeeding, one tenth of the number of slaves inherited was to be manumitted, the individuals being determined by lot. By another decree, of November 24th of the same year, it was provided that any slave who wished to change his master could do so, provided the new owner indemnified the former one for the cost of the slave, according to the bill of sale.[37]

Although the colonists kept themselves aloof and were indifferent to Mexican legislation so long as their own immediate interests were not attacked, their anger rose when a direct blow was struck at their prosperity. Without entering into the moral question of right, there can be little doubt that without slave labor the colonization of Texas would have been retarded for

[37] *Coah. y Tex. Leyes*, 78-9, 91-2.

many years. The immigrants would have been limited exclusively to the class of laboring farmers who, by the toil of their hands and the sweat of their brows, would have reclaimed some small portions only of the uncultivated wastes. No capitalist would have engaged in a venture which would reduce him and his family to the condition of laborers. However loudly the Mexican people and outside philanthropists may claim enlightenment for the government of that republic in proclaiming the abolition of slavery at this early date, it must be borne in mind that such legislation in no wise affected the interests of the landed proprietors of Mexico. A labor system had been developed which was far less expensive than that of slavery, but which practically embraced all its attributes. The position of the Mexican laborer, or peon, was one of perpetual servitude and subjection to a taskmaster. He bound himself to his master by a written contract on entering his service, and immediately became his debtor for money advanced, sometimes to the amount of a year's wages.[38] His employer kept a debit and credit account with him, and rarely did it show a balance in the peon's favor. If he gave offense, committed a fault, or failed in the fulfilment of his duties, confinement, shackles, or the lash could be legally meted out to him; and should he desert his master's service, he could be reclaimed through the alcalde, who had the authority to compel him to return, and punish him. In fact, never out of debt, he was ever a bondman, with but little more liberty than a slave. In name only was he not one. As the peon's wages varied from one to three reales a day, providing for himself, and as his working days were reduced by the numerous church holidays observed in Mexico to about two hundred, the average cost of a peon was about $50 a year. Thus the landed proprietors, under

[38] The congress of the state of Coahuila and Texas, by decree of Sept. 30, 1828, provided that no advance could be made by the master to the servant to an amount exceeding one year's wages. *Id.*, 108.

this system, in which no outlay of capital was required, nor loss by death incurred, reaped all the advantages of absolute slavery without one tithe of its expense.

Under the above-described system, it was not difficult for the Anglo-Americans to evade the law prohibiting the further importation of slaves; and under the appellation of indentured servants, they continued to introduce them into Texas.[39] But in 1829 more decisive pressure was applied, by the promulgation of Guerrero's decree of September 15th, ordering the total abolition of slavery throughout the Mexican republic.[40] Now, at this time there were very few slaves in Mexico outside of Texas, and these few were treated with great indulgence by their owners, who regarded them as favorite servants and members of their families.[41] Consequently the decree—which in fact was dictated by a spirit of self-protection against the United States by the establishment of a political barrier between the two nations[42]—met with no opposition elsewhere in Mexico. In Texas, however, there were now over 1,000 slaves, whose manumission would have crippled the colony to a ruinous degree. Strong remonstrances were made to the federal government, setting forth the facts that if the slaves were freed they would become a nuisance, and a hinderance to prosperity; that the tranquillity of the department would be endangered, as the colonists would regard the dispossession of their slaves as a violation of the promises and guarantees by which they had been induced to settle in the country; and lastly, that the indemnification would be very heavy, and in the exhausted condition of the treasury would remain unpaid

[39] The slave law was evaded by introducing negroes to serve as apprentices for 99 years. *Niles' Reg.*, xxxiv. 334.

[40] *Mex. Col. Leyes*, 1829–30, 149–50; *Dublan* and *Lozano, Legis. Mex.*, ii. 163; *Arrillaga, Recop.*, 1829, 213.

[41] Tornel, *Breve Reseña Hist.*, 85, says: 'Nominalmente eran esclavos, porque sus dueños los consideraban como domésticos favoritos, y aun los trataban como á hijos.'

[42] 'En la abolicion de la esclavitud,' remarks Tornel, the initiator of the decree, 'se envolvia una mira altamente politica, la de establecer una barrera entre Mexico y los Estados-Unidos.' *Ib.*

for many years. These representations were of such weight that on December 2d of the same year an exception was made in favor of Texas.[43]

An examination of the decrees issued during the first five years of the state's existence shows that the congressional assemblies endeavored to legislate with honesty and justice, and many wise laws were enacted. But inexperience, combined with a dim perception in regard to civil and individual rights, made it difficult properly to organize a state with free institutions out of a despotically ruled province. Thus a curious mixture of liberal principles and conservative prejudices is observable. The restrictions on the sovereignty of the people laid down in the 3d article of the constitution, the intolerance of any religion but the Roman catholic, and the excessive power vested in the chief of the department of Texas, were incompatible with free republican institutions. In strong contrast with the liberality manifested in the state colonization law was the persecution to which resident Spaniards were submitted. By a law passed June 23, 1827, they were excluded from all civil and ecclesiastical offices until Spain should acknowledge the independence of Mexico, and in November of the same year all Spaniards, except those domiciliated in the state thirty years, were banished; travellers of that nationality could not remain more than three days in any town except in case of sickness or other recognized impediment; those who remained were required to present themselves monthly to the local authorities, and were forbidden to carry any arms except those customarily worn for personal defence; and a strict surveillance was kept over their conduct.[44] When in 1829 Mexico was invaded by the Spanish forces under Barradas,[45] the state of Coahuila and Texas displayed its patriot-

[43] *Mex. Dict. Com. Just.*, l. 1; *Niles' Reg.*, xxxviii. 291.
[44] *Coah. y Tex. Leyes*, 62, 94–5, 105–6.
[45] For an account of this invasion, see *Hist. Mex.*, v. 72–5, this series.

ism by exacting a heavy forced loan from the resident Spaniards,[46] while the property still remaining in the state, of those who had left for other countries, was confiscated.

It must, however, be borne in mind that the states were under a kind of political thraldom to the federal government, whose decrees they were compelled to indorse, and which dictated their rights under the late constitution to a degree that left their individual independence decidedly equivocal. In the case of Coahuila and Texas, it is noticeable that, during the repeated changes of administration in the national capital, the state government was ever anxious to keep on good terms with the dominant party and adopt its policy. The consequences were perplexity, contradictions,[47] and an absence of fixed political principles

In the administration of justice the legislature endeavored to insure fair trials. In the criminal courts the accused was tried before the presiding judge, in the presence of two assistant judges, one chosen by the defendant and the other by the plaintiff. After all the evidence had been taken, the three judges in consultation decided upon the case. When two or more defendants were on trial on the same charge, each could nominate two assistant judges, and out of the whole number one was elected by a majority of votes. Every citizen when called upon to sit as an assistant judge was obligated to serve, unless some legal impediment exonerated him.[48] Simple theft of small amounts was punishable by the infliction of

[46] Unmarried Spaniards and widowers without children were called upon for one third of their capitals; those married without children, and widowers with only one child, for one fifth; and those of both classes with more than one child, for one eighth. *Id.*, 135.

[47] When Guerrero was in power, the congress of Coahuila and Texas ordered his bust to be set up in their hall, but when adversity came upon him, they repealed the order. They then named a town after Bustamante, and by a later decree struck out his name. *Yoakum's Hist. Tex.*, i. 270.

[48] *Coah. y Tex. Leyes*, 66, 83, 102–3. Deputies of congress, the governor, vice-governor, councillors, the secretaries of state, military men, and ecclesiastics could not be called upon to act as assistant judges.

fines varying from $10 to $30, or by labor on the public works for from one to three months. When the value of the stolen property exceeded $10 but not $100, the punishment was not less than one year's nor more than two years' such labor. For the third offence the criminal was exposed in the most public place with a placard on his head bearing the inscription 'thief.'[49] In case of the impeachment of an authority—as, for instance, the governor, a deputy, or a member of the supreme court—congress appointed four of its own number to sit as a grand jury, one of whom had no vote, but acted as secretary. This jury reported its finding to congress, which then discussed the evidence, and declared whether or not there was just cause of action. If congress resolved in the affirmative, the case was transmitted to the corresponding tribunal for trial.[50]

Education in Coahuila and Texas was at an extremely low ebb. Arispe, in his memorial of November 1, 1811, to the Spanish córtes, says on the subject of public education: "Only in the town of Saltillo . . . is there a scanty fixed appropriation for the maintenance of a common school-master." "On the great estates, and in the populous districts, where many servants are employed, it is common also to have schools; but I have observed the pains taken to prevent the children of servants from learning to write; for some masters believe that if they arrive at that important point of education, they may be induced to seek some other less servile mode of gaining their living." The congress tried to remedy this evil, and by decree of May 13, 1829, an attempt was made to establish in each department a school of mutual instruction on the Lancasterian system. By this law it was provided that the teacher should instruct the pupils in reading, writing, arithmetic, the dogmas of the catholic religion,

[49] *Id.*, 66–8. Receivers of stolen goods, agents and protectors of thieves, suffered the same punishments on conviction as the latter.

[50] *Mex. Col. Constitut.*, i. 229; *Coah. y Tex. Leyes*, 118.

and Ackerman's catechisms of arts and sciences, each teacher's salary being fixed at $800 per annum, payable monthly in advance.[51] But legislation in the matter was more easy than fulfilment, and the project could not be carried into effect. In April 1830 another law was passed for the establishment of six primary schools on the same plan, but with no better result. The people were indifferent to educational progress. Among the settlements of Austin's colony a few private schools were established, and in 1829 the first protestant sunday-school in Texas was opened at San Felipe de Austin by T. J. Pilgrim of the baptist church. It soon, however, met with interruption. A difficulty arose between some Mexican litigants, who visited San Felipe, and some of the settlers; and Austin, aware that the visitors would not fail to notice the violation of the colonization law, deemed it prudent temporarily to close the school.[52]

With regard to religion, the Texan colonists at this early date had neither opportunity nor much inclination to practise it. Dewees, writing in November 1831, says: "The people of this country seem to have forgotten that there is such a commandment as 'Remember the sabbath day and keep it holy.' This day is generally spent in visiting, driving stock, and breaking mustangs." "I have not heard a sermon since I left Kentucky, except at a camp-meeting in Arkansas."[53] Having furnished the required certificate of his catholic faith, the Anglo-American eased his conscience by refraining from any practical expression of it.

Apart from the causes mentioned of dissatisfaction

[51] *Coah. y Tex. Leyes*, 127–30.

[52] *Baker's Texas*, 74–5. *Hutchinson's Reminis.*, 213. Another sabbath-school was opened the same year at Matagorda.

[53] *Letters from Tex.*, 137. In 1824 the Rev. Henry Stephenson, of the methodist denomination, preached the first protestant sermon west of the Brazos, near San Felipe. There were four families present on the occasion. The first baptist preacher was Joseph Bays, who preached on Peach Creek, west of the Brazos, in 1826. He presently removed to San Antonio, where he labored till ordered away by the Mexican authorities. *Hutchinson's Reminis.*, 209, 212–13.

between the state and the colonists, the government showed itself otherwise favorably disposed toward them. Hitherto they were left unmolested in the management of their internal affairs, and besides its readiness to extend land grants, the state displayed equal willingness to encourage Anglo-American enterprises of other kinds. In October 1827 Leon Alemy obtained the exclusive privilege, for a term of six years, to sink artesian wells; and in February 1828 a like privilege, for twenty-three years, was granted to John L. Woodbury and John Cameron to work iron and coal mines in the state, facilities being afforded them for the introduction of the necessary machinery The same year John Davis Bradburn and Stephen Staples obtained a similar right to navigate for fifteen years the Rio Grande with boats propelled by steam or horse power.[54]

But the federal government was not equally considerate; and with its customary interference in the internal affairs of the states, it presently began a system of encroachments on the liberty and rights of the settlers, thereby establishing a mine of grievances which the colonists exploded by the outburst of a bloody revolt.

[54] *Coah. y Tex. Leyes*, 83–4, 98–9, 100–1, 106–7. Bradburn was not a Texan settler. He had joined Mina's expedition, and afterward, joining Guerrero, rose to distinction in the republican ranks. *Hist. Mex.*, iv. 675–6, this series. *Thrall's Hist. Tex.*, 506.

CHAPTER VI.

MEXICAN OPPRESSION AND TEXAN REVOLTS.

1826–1832.

HAYDEN EDWARDS' GRANT—HIS DIFFICULTIES AND WANT OF POLICY—MEXICANS VERSUS COLONISTS—ANNULMENT OF EDWARDS' CONTRACT—JOHN DUNN HUNTER—DISCONTENT OF THE CHEROKEES—THE FREDONIAN REVOLT—COVENANT WITH INDIAN TRIBES—DELUSIVE HOPES—RED MEN'S PERFIDY—MURDER OF HUNTER AND FIELDS—FAILURE OF THE REVOLT—PROGRESS AND CONDITION OF THE COLONIES—MEXICO'S FEARS OF LOSING TEXAS—ALAMAN'S PROPOSITIONS—LAW OF APRIL 6, 1830—MILITARY DESPOTISM—ESTABLISHMENT OF CUSTOM-HOUSES—PORTS OF TEXAS CLOSED—DEMONSTRATIONS OF THE COLONISTS—BRADBURN'S OUTRAGES—HOSTILITIES AT ANÁHUAC—THE TURTLE BAYOU RESOLUTIONS—CAPTURE OF FORT VELASCO—MUTINY AT ANÁHUAC AND FLIGHT OF BRADBURN—RESOLUTIONS OF THE AYUNTAMIENTOS—NACOGDOCHES EVACUATED—TRANQUILLITY RESTORED IN TEXAS.

IN the latter part of 1826 the first indication appeared of the intention on the part of Anglo-American settlers to resist oppression. It has been already mentioned that, when Austin was in the city of Mexico, one of the causes of the delay which attended his endeavors to procure a confirmation of the grant conceded to his father, was the numerous applications that were being made at that time for similar contracts. Among the applicants was Hayden Edwards, who, after much trouble, eventually succeeded in obtaining from the government of the state of Coahuila and Texas a contract to settle 800 families on lands surrounding Nacogdoches.[1] Edwards thereupon proceeded to the

[1] The limits of his grant were as follows: beginning at the angle formed by a line twenty leagues from the Sabine, and one ten leagues from the coast of the gulf of Mexico; thence in a northerly direction, passing the post of Nacogdoches, and in the same direction fifteen leagues above; thence westerly

United States, and spared no pains or expense in endeavoring to fulfil his contract, at the same time inducing his brother, Major Benjamin W. Edwards, to go to Texas and aid him in establishing his colony.[2]

In October 1825 Hayden Edwards returned to Texas and took up his residence at Nacogdoches. He soon discovered that he had difficulties to contend with that had never troubled Austin. Portions of the lands conceded to him were already occupied by Mexican settlers, some of whom had been driven from their homes after the destruction of Long's expedition, and had recently returned. Nacogdoches had again about 100 inhabitants, and certain of the villanous class, formerly of the 'neutral ground,' had taken up lands. These latter, without regarding Edwards with any particular aversion, were wholly averse to subordination; while the Mexicans, jealous of his authority, and angry at an American being placed over them, showed marked symptoms of unfriendliness. There were, moreover, among them many turbulent and bad characters, and not a few fugitives from justice. The result was, that, as Edwards' immigrants arrived, the colony was quickly divided into two hostile factions. Edwards did what he could to preserve order and

at right angles with the first line to the Navasoto creek; thence down said creek till it strikes the upper road from Béjar to Nacogdoches; thence eastwardly along the said road to the San Jacinto; thence down said river to within ten leagues of the coast; thence eastwardly along a line ten leagues from the coast to the beginning. *Yoakum's Hist. Tex.*, i. 462, where a translation of the contract will be found. The last line is described as being drawn within only ten miles of the coast. This is evidently an error, and should be leagues. The state government had no power to authorize the establishment of settlements on the ten-league coast reserve. The federal congress alone could grant that privilege.

[2] Foote states that Benjamin Edwards paid a long visit to Austin, and had many conversations with him on the subject of the colonization of Texas. According to this author, Austin and Edwards were of one mind, and had in view 'the firm establishment, in this favored country, of the institutions of civil and religious freedom, and the redemption of a region from foreign rule, which rightfully belonged to the people of the United States, and of which they had been notoriously bereaved by fraudful negotiations.' They, however, agreed that many grievances would have to be borne before the colonies were strong enough to throw off the yoke. *Tex. and the Texans*, i. 22. It is difficult to believe that Austin expressed any such ideas with regard to the fraud practised on the U. S.

maintain his authority, but several measures adopted by him were far from politic.

The second article of his contract provided that all possessions found in Nacogdoches and its vicinity, supported by the corresponding titles, should be respected; and that in case any of the ancient possessors should claim preservation of their rights, it was the empresario's duty to comply therewith. This afforded a wide loophole through which to thrust in claims to the most valuable lands, and old title deeds were diligently searched for or manufactured.[1] In order to ascertain the extent of these claims, Edwards, in November 1825, called upon all persons holding such land titles to produce them, in order that their legality might be decided upon according to law. In this there was no harm; but he gave further notice that the lands of those who failed to present their titles would be sold, and that claimants whose titles were just would have to pay for any improvements that had been made on the lands by the present occupiers. This caused indignation to the Mexicans, and gave great offence to the authorities, who could but regard his notification in respect to the sale of lands as an assumption of power that had never been given him.

By the sixth article of the contract Edwards was authorized to raise the national militia within his colony, and was appointed its chief until further disposition should be made. Accordingly he gave notice for the election of militia officers to take place on December 15th of the same year. At the same time he proposed that the people should elect an alcalde. With the election of this magistrate the more serious troubles began. Each party had its candidate for the office; Chaplin, Edwards' son-in-law, being put forward by the American colonists, and Samuel Norris, devoted to Mexican interests, by their opponents. The election decided in favor of the former, who took

[1] A Mexican named Antonio Sepúlveda was engaged in this nefarious business. *Yoakum's Hist. Tex.*, i. 238.

possession of the archives and entered upon the duties of the office. But Sepúlveda, the outgoing alcalde, and his party disputed many of the votes as having been cast by settlers residing outside the limits of Edwards' grant, though under the alcalde's jurisdiction. Accordingly, they represented the matter to Saucedo, the political chief at San Antonio. Already offended with Edwards by reason of a report sent in by the latter giving an account of his official acts, and which was not deemed sufficiently respectful, Saucedo decided in favor of Norris, and instructed Sepúlveda to install him by force of arms if any opposition was offered. No resistance was made, however; on the exhibition of Norris' commission Chaplin surrendered up the archives of the office to him.

And now commenced a system of petty tryanny and invidious distinctions, which exasperated the colonists. Americans, who had wrought improvements on their lands, were ousted from them to give place to Mexicans, the favorites of Sepúlvada and the alcalde. A band of regulators was formed, under the command of James Gaines, the brother-in-law of Norris; and backed by these ruffians and the official support of Saucedo, the Mexican party domineered as they liked. Moreover, accusations against Edwards were made to the political chief, who did not conceal his hostility to the empresario.[4]

Early in the summer of 1826, Hayden Edwards again returned to the United States, leaving to his brother the management of the colony during his absence. Benjamin Edwards, in his anxiety to overcome existing difficulties and avoid future trouble, sought the advice of Austin, who recommended him

[4] In his letter to Edwards dated May 1, 1826, he writes: 'Hitherto, the accusation against you, which has arrested the attention of the supreme government of the union, is the ordinance which you yourself published in Oct. of the past year, proclaiming yourself the military chief of that part of the state, and demanding of the old inhabitants the titles of the lands which they possess; for which acts the corresponding charges shall be made when the government shall so order.' Now Edwards had only acted in the matter of the militia in accordance with the provisions of his contract. *Id.*, 241.

to send to Blanco, the provisional governor of the state, a detailed account of the conduct of both parties.[5] This was accordingly done; on September 5th Benjamin Edwards despatched his letter, in which, after entering into full particulars, he alluded to the charges that had been preferred against his brother, and requested the governor to abstain from taking action until the empresario had an opportunity of defending himself. Before the receipt of a reply to this communication, Hayden Edwards returned, and was soon made aware of the reception it had met with, by the rumor which was spread that his contract was going to be annulled. At this the Mexican population was jubilant. It was confidently anticipated that, as a consequence, titles to land acquired through him would be revoked, and claims were at once set up to all the most valuable places occupied and improved by Edwards' colonists. The shamelessness of Norris —who was, however, controlled by Gaines—was such that these abominable claims were sanctioned by him. A reign of terror followed. American settlers were dispossessed of their homes; were arrested at midnight and dragged before the alcalde, to be punished for acts they had never committed; they were fined and imprisoned; and every contumely and vexation that envy and malice could suggest were heaped upon them. The tyranny exercised was so glaringly outrageous and intolerable that most of Norris' American supporters abandoned him.

At last the governor's reply to Benjamin Edwards' letter arrived, confirming the prevailing rumor. It was dated Saltillo, October 2, 1826. Blanco, after stating that the communication addressed to him was wanting in respect, continues as follows: "In view of such proceedings, by which Hayden Edwards' conduct is well attested, I have decreed the annulment of his

[5] 'Give him a full statement of facts, and a very minute history of the acts of your principal enemies and their opponents, and their manner of doing business in every particular, both in regard to your brother as well as all others.' *Foote's Tex.*, i. 269.

contract and his expulsion from the territory of the republic. He has lost the confidence of the government, I doubt his fidelity, and it is imprudent to admit men who begin by dictating laws as sovereigns." He concludes by informing the two brothers that if these measures were unwelcome or prejudicial to them, they could apply to the supreme government, but not until they had both first evacuated the country, and that he had issued orders to the authorities of the department relative to their expulsion.[6] It was an arbitrary and unjust proceeding thus summarily to inflict a heavy pecuniary loss[7] on the empresario, and banish him without affording him a chance to defend his line of conduct. And in this light it was viewed by his colonists, and they were determined to remain passive no longer.

While Hayden Edwards was in the city of Mexico applying for his contract, certain chiefs of a tribe of the Cherokees, which had lately immigrated into Texas, were petitioning at the same time for a grant of land whereon to settle. Among these chiefs was one Fields, a half-breed, who possessed great influence with the Indians. Without receiving any formal assignment of territory, Fields, confiding in promises made to him, and a conditional agreement in 1822 with Felix Trespalacios,[8] then governor of the province, on his return to Texas established a village about fifty miles north of Nacogdoches. Several years passed, however, and still no legal titles to the lands the Indians had settled upon was given to them. About the year 1825 John Dunn Hunter,[9] a devoted champion of the

[6] Yoakum supplies a copy of all this portion of Blanco's letter. *Hist. Tex.*, i. 243.

[7] Edwards had expended $50,000 in his efforts to establish his colony. *Id.*, 244.

[8] This agreement was confirmed by Iturbide, April 27, 1823. *Id.*, 216.

[9] This remarkable man was brought up by Indians from his earliest childhood till he was nineteen or twenty years of age. In 1823 he published a narrative of his captivity, under the title: *Manners and Customs of Several Indian Tribes Located West of the Mississippi*, Philadelphia, 1823, 8vo, pp. 402; and in the same year a reprint the work in London, entitled: *Memoirs of*

rights of Indians, and an earnest laborer for the promotion of their welfare and civilization, appeared in the Cherokee village. He soon perceived the flimsy tenure by which the Indians held their lands, and did not doubt that the Mexican government would dispense with its promises and provisional agreements[10] whenever it might be deemed convenient to do so. Hunter, therefore, with the consent of the chiefs, undertook a journey to the city of Mexico, for the purpose of representing their case to the supreme government, and procuring for them their long-promised title. He arrived at the Mexican capital in March 1826, but his endeavors met with no better result than those of preceding representatives of the tribe, and vague promises, as heretofore, were all that could

a Captivity among the Indians of North America, from Childhood to the Age of Nineteen, 8vo, pp. ix., 447. In 1824 a third edition was issued with additions, 8vo, pp. xi., 468, London, 1824. Hunter states that he had no recollection of his parents, who, he believed, were killed at the time of his capture, but when or where that occurred he could not tell. His skill in hunting when yet a boy gained for him the name of 'hunter' among the Indians, which he afterward adopted as a patronymic. He assumed his other names out of respect to John Dunn of Missouri, who treated him with fraternal kindness after his association with white people. Having formed acquaintance with fur-traders, he abandoned his Indian life in 1816, and engaged in trading. During the intervals between the trading seasons, he attended for some years a school near Pearl River, Mississippi, and applied himself assiduously to the study of the English language, writing, and arithmetic, in which he made great proficiency. In 1821 he crossed the Alleghanies, went to New York, and, as he says, began a new existence. He afterward visited England and Europe. During 1823–4 he was lionized by the fashionable world in London, and excited the deepest interest of philosophers and philanthropists, literati and noblemen, not only on account of his romantic life, but also of his project of civilizing the Indians. This could only be effected, he maintained, by the introduction of civilized habits by a slow and invisible progress, and his plan was to form a settlement in which Indian manners and customs would at first be adopted, but gradually eliminated with time. In the summer of 1824 he left London and went to live with the Cherokees in Texas, over whom he immediately acquired a leading influence. Hunter was denounced by the periodicals of the U. S. as an adventurer who imposed on the credulity of the British public, and the *North American Review*, 1826, xxii. 101–7, in unqualified language proclaims him a bold but ignorant imposter. There are many writers, however, who do not regard him in this light, but consider that he brought down upon himself the enmity of many persons in the U. S. on account of his outspoken vindication of the rights of the Indians. Consult *Quart. Rev.*, xxxi. 76–111; *Blackwood's Mag.*, xvi., 639, xvii. 56; *Literary Gaz.*, 1823, p. 242, etc.; *Ward's Mex.*, ii. 587–8; *Foote's Tex.*, i. 239–47.

[10] The agreement of April 1823 was made with the understanding that the Indians should retire farther into the interior, and that no additional families should immigrate till the general colonization law was published. *Yoakum's Hist. Tex.*, i. 216.

be obtained from the cautious government. When Hunter on his return reported his want of success, his people were terribly exasperated against the Mexicans, who, they considered, were intending to defraud them of lands which they now regarded as their rightful possessions. Driven from their vast hunting-grounds in the United States by the advance of the Anglo-Americans, their past experience had made the Cherokees watchful and suspicious, and they regarded the white race with no friendly feelings. Without making distinction, therefore, between the colonists and the Mexicans, they meditated avenging themselves by waging an indiscriminate war against the settlements. With this object they associated themselves with other neighboring tribes, which were not unwilling to make reprisals for the punishment they had frequently received at the hands of the Anglo-Americans.[11] They were, however, diverted from their purpose by the influence of Hunter, who persuaded them to postpone active operations for a time, while he informed himself of the position of affairs at Nacogdoches.

Meanwhile the action of Edwards' colonists had assumed all the features of revolt. Exasperated beyond endurance by the tyrannical acts of Norris and Gaines, they had lately deposed the former, and installed another alcalde in his place. Apprehending that the political chief would send a force to restore the former order of things as soon as he heard of this proceeding, Hayden Edwards and his brother busily occupied themselves in visiting the settlements in order to rouse to action the spirit of independence. At this juncture Hunter paid them a visit, and representing to them the hostile intentions of the Indians with much earnestness, laid before them a proposal that the colonists and Cherokees should enter into a league and alliance for mutual protection. The plan was

[11] Benjamin Edwards states in his address to the settlers of Austin's colony, Jan. 16, 1827, that no less than 23 different tribes had allied themselves with the Comanche nation. *Foote's Tex.*, i. 262. Ward says that the numerous Indian tribes mustered nearly 20,000 warriors. *Ut sup.*

approved by the brothers, and Hunter returned to his village to communicate the matter to the Indian chiefs, who were easily induced to follow the advice of their zealous friend.

A report that the enemy was approaching Nacogdoches caused Benjamin Edwards to hasten thither with all speed. Putting himself at the head of only fifteen men, he prepared a suitable flag—inscribed with the names of the individuals who composed his little band, and with a solemn pledge to stand by each other in the cause of independence—and on December 16th entered Nacogdoches, where he proclaimed freedom and independence. He then proceeded to fortify himself in a large stone building in the centre of the town; the settlers flocked to his standard, and his force in a few days amounted to about 200 men. A republic under the name of Fredonia was proclaimed, and a temporary government organized. A committee of independence was inaugurated, justices of the peace were chosen for the different settlements, and Martin Parmer was appointed to the chief command of the military.

On December 20th Hunter, Fields, and other chiefs of the associated tribes repaired to Nacogdoches, where on the following day a solemn league and confederation was agreed upon and signed by the representatives of the colonists and Indians respectively.[12] By this covenant it was agreed to divide the territory of Texas between the Indians and Anglo-Americans, and wage war against Mexico until their independence was consummated. The portion assigned to the red men was all the territory lying between the United States and

[12] A copy of this treaty in Spanish will be found in *Cor. Fed. Mex.*, 18 Feb., 1827, p. 3–4. It was made by Benjamin W. Edwards and Harmon B. Mayo on the part of the Fredonians, and Richard Fields and John D. Hunter on the part of the Indians. It was ratified the same day by the committee of Independence and the committee of Red People. The signatures are as follow: on the part of the Indians, Richard Fields, John D. Hunter, Nokolake, John Bags, and Cuktokoh; on the part of the colonists, Martin Parmer, president, Hayden Edwards, W. B. Legon, John Sprow, B. P. Thompson, Jos. A. Huber, B. W. Edwards, and H. B. Mayo. Foote also supplies a copy of this treaty, vol. i. 253–6.

a line drawn due west from Sandy Spring near Nacogdoches to the Rio Grande, thence up that river to its source; all the territory south of this line was to belong to the Americans.

The Fredonians had based their project upon the expectation that not only would all the settlers and Indians in Texas support the movement, but also that volunteers from the United States would join the cause. Messengers were accordingly sent with proclamations to Natchitoches and Austin's colony, appealing for aid in the cause of freedom. But the hopes of the insurgents were soon rudely crushed. Austin, cautious and politic, was not long in deciding that the Anglo-Americans in Texas were quite incapable of successfully prosecuting a war with Mexico. Any such attempt would inevitably end in the ruin of his colony, and the frustration of his cherished plans to people a lovely land on a firm basis of welfare and happiness. Moreover, he condemned the policy of the Fredonians in associating themselves with barbarous and bloodthirsty Indians, at whose hands his settlers had suffered the only outrages they had as yet experienced. As a counter-effect to Benjamin Edwards' address,[13] he issued a proclamation January 22, 1827, denouncing in strong terms the insurrection. The Fredonians, whom he calls the "Nacogdoches madmen," were, he said, inciting the Indians to murder and plunder, and openly threatening the colonists with massacre. He repudiated them, pronouncing them base and degraded apostates from the name of Americans, to which they had forfeited all title by their unnatural alliance with Indians; and concluded by calling the people of the colony to arms en masse, at the same time announcing that 100 men already called out would march against Nacogdoches on the 26th.[14]

Equally unfavorable was the reception of their appeals to the United States for aid. Huber, who had

[13] Dated Nacogdoches, Jan. 16, 1827. Copy will be found in *Id.*, i. 260–3.
[14] Copy Austin's proclamation in *Id.*, i. 266–8.

been intrusted with that mission, on his arrival at Natchitoches represented, through the medium of the press, the Fredonian enterprise not only as a hopeless one, but also disreputable, and the succor that was confidently expected from that source was withheld. But the death-blow to this wild scheme was the desertion of the Indians. Many of the tribes would not join the alliance with a people against whom they were embittered. Mexican emissaries, too, were sent among them, who, by promises and threats, allured or alarmed them. When the time for action came they turned against their white allies.

The rumor of the enemy's approach, which had spread at the latter part of December, was occasioned by the arrival of Colonel Ellis Bean[15] in the vicinity of Nacogdoches with thirty-five men. Finding the place too strongly defended, Bean retired, and the Fredonians, seeing no cause for immediate alarm, dispersed to their homes, leaving Parmer with a few men on guard. Saucedo had, however, set out from San Antonio with about 200 men, under the command of Colonel Mateo Ahumada, and reached San Felipe de Austin by the 1st of January. On the 4th he issued a conciliatory proclamation, offering peace and secure possession of their lands to the subordinates, but his offers were received with contempt.[16] On that same day Norris, with about eighty men, some dozen of whom were Americans, entered Nacogdoches with the avowed intention of hanging the Fredonians. Of the latter there were only eleven, with eight Cherokees, under Hunter, but they boldly charged the invaders, and quickly put them to flight, with the loss of one killed and ten or twelve severely wounded. The Fredonians had only one man slightly hurt. It was an

[15] Bean had been made colonel for his services in the war of independence, and also obtained a grant of land in Texas. He was one of the settlers on Edwards' colony. He had lately returned from the Mexican capital, whither he had gone in 1825. *Mem. of Cap. W. Shaw*, MS.; *Yoakum's Hist. Tex.* i. 236.

[16] *Id.*, 249; Austin's address, in *Foote, ut sup.*, 260.

insignificant affair, but the first blood in strife between the Mexicans and Anglo-American settlers had been shed.

Active measures were now adopted by Saucedo. The Indians were entirely gained over, and breaking their covenant, joined the Mexicans. Ahumada now marched against Nacogdoches with 200 infantry, 100 dragoons, and Austin's reënforcement of colonial militia.[17] A small number of Fredonians had assembled in the town, but their cause was irretrievably lost. Hordes of recreant allies were within a few leagues of them, ready to raise the war-cry and swoop down upon them. Hunter and Fields, who remained stanchly faithful, endeavored in vain to hold their people to their pledge, and were ruthlessly murdered for their fidelity.[18] No aid from outside arrived; the settlers, completely intimidated by the presence of the Mexican forces and the unexpected action of Austin's colonists, submitted without striking a blow, on the promise of pardon for past offences; and a band of twenty Fredonian regulars was captured. Under these circumstances, the party at Nacogdoches evacuated the town in despair on the approach of Ahumada, January 27th, and sought safety in the territory of the United States, which they entered on the 31st.[19] Ahumada, yielding to the solicitations of Austin, released his prisoners. This unusual clemency on the part of a victorious Mexican commander elicited from Benjamin Edwards a warm expression of his thanks.[20]

[17] *Tornel, Reseña Hist. Mex.*, 158; *Suarez y Navarro, Hist. Mex.*, 85.

[18] Fields was first murdered, and shortly afterward Hunter. The latter, while watering his horse at a creek near the Anadagua village, was shot by an Indian. He was going, with two or three companions only—one of whom killed him—to join the Fredonians at Nacogdoches, having failed to induce the Indians to keep their promises. Fields was an intelligent man, and had joined the York lodge of freemasons while in Mexico. *Foote*, i. 280; *Yoakum*, i. 250; *Cor. Fed. Mex.*, 31 Mar., 1827, p. 3.

[19] Hayden Edwards returned after the Texan revolution, and at one time represented his district in the congress. His brother, in 1836, was engaged in raising a company in Mississippi in aid of Texas, but discontinued his efforts on receipt of the news of the battle of San Jacinto. In 1837 he was candidate for governor of Mississippi, but died during the canvass. *Thrall's Hist. Tex.*, 531–2.

[20] 'Your kind, your friendly, and generous deportment towards my friends

Thus terminated an insurrection which, as far as active operations were concerned, was a trivial affair, but in its significance was weighty and ominous.

During the three following years the progress and prospects of Austin's colonies were all that could be desired. His conduct in the late abortive rebellion had gained for him the pronounced confidence and commendation of the supreme government,[21] and he was able to proceed rapidly with the settlement of the new grants he obtained in 1827 and 1828. Other colonies also showed progress. After the annulment of Edwards' contract the territory included in his grant was divided between David G. Burnett and Joseph Vehlein,[22] and immigrants continued to flow into that portion of Texas. Dewitt, although his first settlers were temporarily driven off by Indians, had laid out the town of Gonzalez[23] in 1825, and during 1827 and 1828 he succeeded in introducing a considerable number of colonists. In De Leon's grant, the town of Victoria was founded, and La Bahía del Espiritu Santo had developed into a town of such appreciable dimensions, that by the decree of February 4, 1829, it was raised to the rank of a villa, and the high-sounding title of Goliad, or Goliath, given to it.[24] On the Brazos a flourishing settlement called Brazoria had also sprung up.

and fellow-soldiers while prisoners of yours, entitles you and the officers under your command to the expression of my thanks, and has insured to you and them a distinction in our hearts that will ever separate you from the rest of your countrymen who have oppressed us. As a foe to your country, I view you still as a national enemy; but as a man and a philanthropist, you have powerful claims upon my heart.' *Edwards to Ahumada*, March 25, 1827; *Foote*, i. 287.

[21] Anastacio Bustamante, commandant general of the federal forces in the eastern internal states, in his report to the war office, March 6th, says: 'No pudiendo menos que hacer una particular recommendacion del gran mérito que han contraido en esta última jornada . . .los estimables ciudadanos Felipe Austin y Juan A. Williams.' *Cor. Fed. Mex.*, 31 Mar., 1827, p. 3.

[22] Called Whelin on Austin's map. Burnet, Vehlein, and Zavala afterward sold out to a New York company called 'The Galveston Bay Co.' *Almonte, Not. Estad. Tej.*, 68.

[23] Named after Rafael Gonzalez, the governor pro tem. of the state.

[24] *Coah. y Tex. Leyes*, 112. In 1827 the names of several towns in Coahuila were changed. San Fernando received the name of San Fernando de

Nevertheless, the attempt of the Fredonians had opened the eyes of the national government to the possibility that the infant giant it had adopted might not prove a very docile member of the Mexican family, and it began to consider that, in lieu of gentle treatment, a repressive system of education, backed by coercion, would be necessary erelong. The cramp was not immediately applied, it is true. Under the liberal and non-aggressive policy of Guerrero the colonists were left pretty much to themselves, and redress was even vouchsafed to them in the important matter of the abolition of slavery. But when he was overthrown, in December 1829, and Bustamante seized the helm, the recumbent tiger rose and showed his teeth.

It cannot be urged that there did not exist very forcible reasons for apprehending that Texas would attempt to slip the leash. The designs of the United States were too apparent to admit of a doubt as to their expectations, and the territory was becoming thickly settled by emigrants from them. It did not require much penetration to foresee that this new land would soon be overrun by these aliens if the tide of immigration were not stopped. This increasing population, too, was not only alien in race, but in political principles, habits, and religion; while it was bound to the people it had migrated from by the ties of consanguinity, and the prestige of a glorious historical record of a young nation that had rent asunder the bonds of oppression. It was, therefore, natural that Mexico should entertain fears as to the future obedience of the Texan colonists, and it was equally natural that the latter would not tamely submit to the imposition of fetters similar to those which the

Rosas; Rio Grande that of Guerrero; Saltillo was changed to Leona Vicario; and Estevan de Tlascala to Villalongin. *Id.*, 65, 85. Filisola—i. 165—to wrench an anagram out of Hidalgo's name, introduces *h* into Goliad, spelling it Golhiad. J. C. Beales, in Dec. 1833, describes Goliad as a wretched village containing 800 souls. The inhabitants, almost without exception, were gamblers and smugglers. *Beales' Journal*, in *Kennedy's Tex.*, ii. 35–6.

fathers of most of them had helped to break. Yet in its short-sightedness the government, under the despotic administration of Bustamante, thought to obviate a probable, but not unavoidable contingency by adopting the very measures which were most calculated to provoke a spirit of antagonism. Admitting, as Mexican writers are eager to assert, that a great number of settlers were adventurers who held their lands by no better titles than those of loaded rifles,[25] and that there were many advocates of annexation to the United States, it must not be forgotten that Austin's colonists—who far outnumbered all the rest together—were not of that class. They were an industrious, respectable people, who had, through dangers, trials, and privations, built for themselves homes in the wilderness, and converted wastes, that were valueless to Mexico till their arrival, into thriving farms and plantations. They had formed a community which had been welded together in the furnace of hardship and toil, and which had neither interfered nor had been interfered with in political matters. For nearly a decade they had been left alone and had ruled themselves.[26] No disposition had been made by either the national or state legislature for their government other than the provisional one which had vested the political and military administration in Austin. Crime among them was rare, and their morality and other virtues were far above the Mexican standards. But they had an uncompromising love of republican freedom, and they had confidently expected that a republic which had based its constitution on that of the United States would put in practice the free institutions it proclaimed. They could not recognize the principles of centralism in face of the constitution of 1824.

[25] Rivera, for instance, speaks of 'aventureros de todas las naciones que se apropiaban por sí mismos los terrenos que mas las acomodaban, fundándose en la razon del rifle.' *Hist. Jalapa*, iii. 25.

[26] 'Aquellas colonias, que se gobernaban á su antojo, ó por leyes norte-americanas.' *Id.*, 27.

The evil spirit which inspired the Mexican legislature to make the fatal mistake of attempting to curb the designs of the United States, by the exercise of oppressive measures against the Texan colonists, was Lucas Alaman, the minister of relations under the new government. On February 8, 1830, he laid a memorial before congress, in which with just reason he calls attention to the danger Texas was exposed to of being absorbed by the northern republic, and to the carelessness which the government of the state of Coahuila and Texas had shown in its neglect to see that the colonization laws were properly carried out. Orders of June 1827, and April 1828, respectively, providing that no more than the number of families designated in a contract should settle on the corresponding grant, and that colonies near the boundary line should be composed of settlers who were not natives of the United States, had, he said, been without effect; and he expatiated on the fact that a large number of intruders had taken possession of lands, especially near the frontier, without any pretension of satisfying the formalities of the colonization laws. He then suggested measures which he considered would be adequate to preserve Texas to Mexico, and which ought to be immediately put in operation. They were, firstly, to increase the Mexican population by making Texas a penal settlement, the criminals transported thither to be employed in the cultivation of the soil;[27] secondly, to introduce foreign colonists differing from North Americans in interests, habits, and language; thirdly, to establish a coasting trade between Texas and other parts of the republic, which would tend to nationalize the department; fourthly, to suspend, as far as Texas was concerned, the colonization law of August 1824, and place the settlement of that department under the direction of the general government; and fifthly, to

[27] In 1833 a number of laws were passed with the object of colonizing Texas with criminals and deserters. The reader can consult *Arrillaga Recop.*, 1832–3, 433; 1833, Apr. and May, 89, 132–7; *Vall. Doc.*, ii. 151; *Mex. Mem. Justicia*, 50–1; *Id.*, 1833, 8–9, in *Mex. Mem.*, 2, doc. 7

appoint a commissioner to examine and report upon the condition of affairs in the Texan colonies, as to the number of contracts entered into and families introduced, the amount of land occupied, the number of slaves in each settlement and the legality of their importation, and the fulfilment or non-fulfilment of existing contracts.[28]

Alaman's views were responded to by the subservient congress, and on April 6, 1830, a law was passed which prohibited the citizens of nations bordering on Mexico from colonizing any of her states or territories immediately adjacent to them. It also declared that colonization contracts not yet fulfilled, or such as were in opposition to this law, were forthwith suspended; that no foreigner under any pretext whatever would be allowed to enter the northern frontier, unless provided with a passport from the Mexican consular agent at the place of his previous residence. With regard to colonies already established, and the slaves introduced into them, no change would be made, but the further importation of slaves was strictly forbidden.[29] These provisions were tantamount to the special exclusion, for the future, of Anglo-American settlers, and of them only. The law in itself was obnoxious to the Texan colonists, and this invidious distinction made it doubly so. It was received with out-spoken dissatisfaction. Grievances of an oppressive character immediately followed. The despotic government of Bustamante did not delay matters. With the year 1830 the exemption from duties that had been conceded to the colonists on articles imported for their own use ceased. This privilege had been greatly abused, and it cannot be denied that the settlers availed themselves of it to carry on smuggling to an extent very detrimental to the revenue—a practice which also had to be suppressed.

[28] *Inic. de Ley.*, in *Alaman, Not. Biog.*, 47–56.

[29] Articles 9, 10, and 11 of the decree, copy of which will be found in *Dublan* and *Lozano, Ley. Mex.*, ii. 238–40.

Simultaneously with the promulgation of the law, Manuel Mier y Teran, who had been appointed commandant general of the national forces in the estados de Oriente, was instructed to proceed to Texas with a sufficient force and carry its provisions into effect, as well as establish inland and maritime custom-houses. Accordingly, he entered the department with the 11th and 12th battalions of regular infantry, the 9th regiment of cavalry, the presidial companies, and the militia of the three estados de Oriente, supported by some artillery. A military despotism was soon inaugurated. Only the colonies of Austin, Dewitt, and Martin De Leon were recognized, all other concessions being suspended till the contracts had been examined and their fulfilments verified; titles were denied to a great number of settlers already domiciled, and incoming emigrants from the United States were ordered to quit the country on their arrival. Military posts were established at the mouths of La Baca and Brazos rivers, at Matagorda, Galveston, and Anáhuac, and at Goliad, Victoria, San Felipe de Austin, Tenoxtitlan, Nacogdoches, and other places; custom-houses were established, and a war vessel stationed on the coast.[30] The soldiery distributed at these posts was for the most part composed of convicts and the worst class of men in Mexico,[31] contact with whom was contamination, and whose bearing was insolent and outrageous.

Having completed his dispositions, Teran went to Matamoros, leaving Davis Bradburn[32] at Anáhuac,

[30] *Suarez y Navarro, Hist. Mex.*, 244–6; *Rivera, Hist. Jalapa*, iii. 26–7; *Filisola, Mem. Hist. Guerra Tej.*, i. 161–5, 169–70; *Mex. Mem. Guerra*, 1830, p. 3; *Kennedy's Tex.*, i. 375–7, ii. 4–5; *Larenaudière, Mex. et Guat.*, 231; *Hunt's Address*, 24; *Willson's Am. Hist.*, 635.

[31] In order that the reader may form some idea of the class of men from which the Mexican troops were drawn, and the means employed to raise recruits, I quote the provisions on these points laid down by decree of the congress of Coahuila and Texas dated Sept. 29, 1826. 'The ayuntamientos with the assistance of armed force will proceed to make levies; vagabonds and disorderly persons shall be taken in preference for military service, recruits may be obtained by entrapment and decoy.' Articles 4, 5, and 9, in *Coah. y Tex. Leyes*, 42.

[32] Bradburn was an American by birth, but had served in the revolutionary war, and had obtained the rank of colonel in the Mexican army.

at the head of Galveston Bay,[33] with 150 men; Colonel Piedras at Nacogdoches, with 350 men; and Colonel Ugartechea at Velasco, the post at the mouth of the river Brazos, with 125 men. Ramon Músquiz at this time was political chief at San Antonio de Béjar. Bradburn was by nature a tyrant, and made himself consipcuous as such. A series of outrages was soon commenced by him. The local authorities were set at naught, and military law substituted for civil jurisdiction; settlers were dispossessed of their lands and property, many of them were imprisoned, and no redress could be obtained for thefts and robberies committed by the rascally troops.

When the state congress assembled in January 1831, it declared that José María Letona had been duly elected governor, and Juan Martin De Veramendi vice-governor. Urgent applications had been made by numerous settlers for the appointment of a commissioner to extend titles to them, and Letona, who could do no otherwise than regard the law of April 6, 1830, as unconstitutional, and an infringement on the sovereignty of the state, sent Francisco Madero in that capacity, with José María Carbajal, as surveyor, to put the inhabitants of the Trinity River in possession of their lands. The commissioner, in accordance with the state colonization law, granted the required titles, established the town of Liberty, and appointed an ayuntamiento. Teran, as uncompromising a centralist and as aggressive as Bustamante himself, seized this opportunity to exercise his despotic power. Declaring that the law of April 6th was being contravened, he ordered Bradburn to arrest Madero and Carbajal, who were accordingly cast into prison at Anáhuac. Bradburn next dissolved the ayuntamiento at Liberty, established one at Anáhuac, and assuming the appropriation of a large tract of country, proceeded to distribute lands. All these acts were performed without

[33] Anáhuac was known as the port of Galveston, opened in 1825. The island was uninhabited at this time.

any authority from the state government; indeed, Bradburn did not condescend even to consult or advise it on the matter. These high-handed measures were complemented by various tyrannical proceedings affecting the welfare of the community at large, and the personal rights of individuals.

In the collection of the customs, to the payment of which the colonists had lately been made subject, great disgust was caused. Not that they were opposed to paying legitimate duties, but the offensive steps taken to collect them provoked their ire. The revenue officers were avowedly inimical in their principles to the interests of the Texans, and their contemptuous bearing and arbitrary dealing, supported by bands of armed soldiers, were doubly galling. The tariff, moreover, was considered unreasonable. To facilitate the collection of the custom duties and prevent smuggling,[34] all ports except that of Anáhuac, which only vessels of six feet draught could enter, were ordered to be closed. But the indignation aroused at this blow at the commercial interests of Texas, and the attendant inconvenience in other respects, was such that on December 16, 1831, a large and angry meeting was held at Brazoria to discuss the question. Commissioners were sent to Anáhuac to demand the withdrawal of the order. Bradburn grumbled and asked that time be allowed him to communicate with Teran; whereupon threats of an attack were uttered, and the port of Brazos was reluctantly allowed to remain open.[35]

It is not surprising that, under such circumstances, some proceedings which will not bear scrutiny were committed or connived at by the settlers. Arms and war material were introduced into the country from

[34] It is narrated that in July or August 1830, a band of smugglers, in order to carry on their operations unopposed, seized the administrator of the revenue in Matagorda, and placed him in a boat under the custody of ten men. *Pinart's Col.*, Print, no. 214, p. 2.

[35] *Yoakum*, i. 281–2; *Filisola, ut sup.*, i. 186; *Tex. Alm.*, 1859. 103.

the United States in spite of the custom-houses. Smuggling greatly increased, and was very defiantly carried on. In December 1831, while the colonists at Brazoria were under great excitement at the closing of their port, the schooners *Ticson* (sic), *Nelson*, and *Sabine*, under the protection of an armed band of colonists on shore, sailed out of the harbor without paying the custom dues they owed; and when an attempt was made to oppose their departure, the Mexican troops were fired at from the vessels and a soldier wounded.[36] The administrator of customs at Anáhuac, considering it convenient to remove the receiver's office at the mouth of the Brazos to the town of Brazoria, sent thither, in January 1832, the collector Juan Pacho to effect the change. Pacho arrived off Brazoria on the night of the 22d, and remaining on board, sent on shore a soldier to deliver a copy of the ordinance to the authorities. The unfortunate bearer was almost beaten to death by the colonists, and such hostile demonstrations were made, that Pacho, deeming it unsafe to remain on board, was glad to land during the night and escape to a place of security. On the 29th of the same month the *Sabine*, holding in contempt Teran's orders to detain her and put her crew on trial if she returned, boldly came to anchor at Brazoria, with a full cargo from New Orleans, and two cannon! Nor were the Mexican troops in sufficient force to interfere with her. Thus mutual aggravation widened the breach. Instances of wrongs inflicted on individuals, and invasions of their personal liberties, were frequent. Servants were inveigled away by Bradburn from their masters, and made to work without remuneration; the surrender of fugitive slaves was refused, and settlers were arbitrarily arrested and thrown into dungeons.[37]

[36] *Filisola, ut sup.*, 184–5. Teran's letter to Austin dated Matamoros, Jan. 27, 1832, in *Id.*, 188–9.

[37] The reader is referred to the following authorities, which have been consulted as to the condition of affairs during this period: *Kennedy's Tex.*, ii. 5–7; *Holley's Tex.*, 322–3; *Yoakum*, i. 270–6, 281–2, 290–1; *Foote's Tex.*, ii.

On May 15, 1832, Bradburn proclaimed all the country lying within the ten-league coast reserve to be under martial law. In the same month, almost immediately after the adoption of this extreme measure, some soldiers of the presidial troops perpetrated a criminal outrage upon a woman in the vicinity of Anáhuac. The enraged settlers, knowing that no redress could be obtained, seized a worthless fellow of their community, who, if not an actual participator in the deed, had connived at it,[38] and tarred and feathered him. While engaged in inflicting this punishment, a troop of soldiers despatched by Bradburn interfered. A scrimmage ensued, in which some shots were fired, and several of the colonists, among whom was William B. Travis—who at a later date gained high renown—were made prisoners. The captives were thrown into dungeons, and treated with great rigor.[39]

This event and Bradburn's unwarrantable declaration of martial law having been duly reported to Teran, who was residing in Matamoros, the latter, on May 31st, instructed Piedras to proceed to Anáhuac and take such measures to put an end to the disturbances as he might deem opportune. But before the receipt of this order, the angry colonists had taken the matter into their own hands. Many of the settlers on Trinity River and in Austin's colony flew to arms and marched to Anáhuac, Francis W. Johnson being chosen their chief in command. The colonies were already ablaze with the spirit of resistance, and were

8–16; *Larenaudière, Mex. et Guat.*, 232; *Willson's Amer. Hist.*, 635–6; *Edwards' Hist. Tex.*, 186; *Maillard's Hist. Tex.*, 58–62; *Filisola, ut sup.*, i. 169–74; *Teran's Letter to Austin*, in *Id.*, 185–9; *Rivera, Hist. Jalapa*, iii. 26–8, 81; *Suarez y Navarro, Hist. Mex.*, 246–7.

[38] Foote states that this American committed the outrage himself. *Tex.*, ii. 16. Filisola's version is that a presidial soldier perpetrated the violence, and that the American, who lived close by, made no attempt to succor the woman. *Ut sup.*, i. 193–4.

[39] Yoakum, with reason, remarks that the different accounts given by Foote, Holley, Kennedy, and Dewees of the events about to be narrated are very conflicting. But these writers, with the exception of the Englishman Kennedy, are Americans, and all derived their information from Texan sources. Reports and letters, however, of Ugartechea, Piedras, and Bradburn, supplied by Filisola, i. 205–30, throw much light on these occurrences, and enable me to present them with greater clearness and correctness.

ripe for rebellion. A certain John Austin[40] was at this time one of the alcaldes of Brazoria. He was a man of great energy, and not being of the type to submit meekly to tyranny, had already obtained prominence by his decided views and spirited conduct. On the 10th of June he joined the insurgents with about 100 men, having captured on the preceding day Lieutenant Miguel Nieto, and a troop of cavalry sent out to reconnoitre by Bradburn, who was aware of his approach. On his arrival, a demand for the release of the prisoners was made and refused, whereupon the settlers who had entered the town took up a position in the buildings of the plazuela de Malinche. During the next two or three days some desultory firing took place, but before any effective fighting occurred an adjustment was arranged, by which it was agreed that the prisoners should be released if the assailants would previously surrender their captives, and retire six miles away from the town. The colonists were willing to keep their part of the compact, and setting at liberty the cavalrymen, Austin retired with a portion of his forces to Turtle Bayou.[41] Bradburn, however, having secured a quantity of ammunition that had been stored in one of the houses, and had escaped discovery, threw his stipulation to the winds, opened fire upon the insurgents that had remained in Anáhuac, and drove them from the place.

In January of this year Santa Anna had pro-

[40] This Austin was not a relative of Stephen F. Austin. He was born in Connecticut, and being of an adventurous spirit, went to sea when quite a youth as a sailor before the mast. Having joined Long's expedition in 1819, he was sent with other prisoners to Mexico, where he fortunately obtained his release through the intercession of Poinsett. During his stay in the Mexican capital he became acquainted with Stephen F. Austin, and decided to accompany him to his colony. John Austin had great strength of character, and became an active and useful citizen. He died of cholera in 1833. He would have played a prominent part in the Texan revolution had he lived to see it. *Holley's Tex.*, 248–50; *Thrall's Hist. Tex.*, 496–7; *Edwards' Hist. Tex.*, 184; *Filisola, ut sup.*, 195.

[41] *Kennedy*, ii. 8; *Dewees' Letters*, 143; *Filisola*, i. 200–1. The latter author states that only half of Austin's force was withdrawn. Labadie's and Francis W. Johnson's accounts, in *Tex. Almanac*, 1859, 30–40.

nounced at Vera Cruz against the government of Bustamante, and the usual war, which in Mexico follows such revolutionary appeals, was in full blast. The colonists were heartily sick of Bustamante's method of administering the laws of the country, and the insurgents, on their arrival at Turtle Bayou, drew up a list of their grievances June 13th, and passed resolutions adopting Santa Anna's plan, and pledging their lives and fortunes to support the constitution, and the leaders who were then fighting in defence of civil liberty. All the people of Texas were invited to co-operate with them in support of these principles.[42]

When Bradburn's intention not to fulfil his part of the agreement was no longer doubtful, the settlers were determined to enforce compliance. Knowing that it would be impossible to take the fort without artillery, John Austin went to Brazoria to fetch by sea the cannon brought by the *Sabine*, leaving the main force to blockade Anáhuac during his absence. On his arrival at Brazoria a public meeting was held, at which the resolutions of June 13th were adopted, and Ugartechea having refused to allow the vessel bearing the cannon to pass out of the river, it was decided to reduce fort Velasco before making the attack on Anáhuac.[43] Accordingly John Austin, having collected 112 men, caused the cannon to be mounted on board the schooner *Brazoria*, then at that place, and marched to Velasco. At first some negotiations were carried on. Ugartechea was apprised of the adoption of the plan of Vera Cruz, and invited to join the settlers in his support. On his refusal the evacuation of the fort was demanded. This summons being also disregarded, Austin made his dispositions to attack. The schooner, which had dropped down the river, was moored on the night of

[42] *Holley's Tex.*, 323; *Edwards' Hist. Tex.*, 185–7. In the last authority a copy of the resolutions will be found.

[43] On the 11th of May preceding a meeting of the citizens of Brazoria was held, at which it was proposed to attack the fort at Velasco. The proposition was lost by only a single vote. *Foote, Tex.*, ii. 19.

the 26th close to the shore, in front of the fort, about 200 yards off; and forty men, armed with rifles, were placed on board of her and protected by a bulwark of cotton bales. During the same night Austin with his remaining force in two divisions approached to within fifty yards of the redoubt on the land side, and under cover of the darkness, and the diversion caused by the fire from the schooner, threw up a palisade. Though firing was kept up during the night, little harm was done to either side; but when day broke the affair assumed another aspect. Austin's breastworks afforded him little protection, the fire from the fort was galling; and a violent storm of rain coming on, he was compelled to withdraw about 9 o'clock, while the Mexicans, whose only gun was mounted en barbette, suffered severely from the rifles of the besiegers. The schooner, however, kept up the engagement; almost every man who showed himself at the gun or above the enemy's parapets was struck by the unerring riflemen. The besiegers' artillery, too, did good service, while the Mexicans' piece was so ill-managed in its exposed position as to do little injury to the *Brazoria*. Due credit must be given to Ugartechea's personal bravery. Over and over again, as the artillerist held the linstock to to fire the cannon, his exposed hand or arm was shattered, and when at last his men flinched from serving the gun, their commandant mounted the bastion and pointed it himself. His courage was appreciated. His foes, respecting his gallant bearing, had the magnanimity not to strike him down. After a contest of eleven hours the Mexican commander, having almost exhausted his ammunition, hoisted a white flag, and terms of capitulation were signed the next day, by which Ugartechea was allowed to evacuate the fort with the honors of war, his troops retaining their arms, ammunition, and baggage.[44] They were, moreover,

[44] Yoakum, i. 295, incorrectly, and without authority, states that 'the enemy were deprived of their arms. See Filisola's statement,' i. 215, derived from Ugartechea's report of the affair.

supplied with provisions for their march to Matamoros.[45]

According to American authorities, the loss of the Texans in this engagement was seven killed and twenty-seven wounded; that of the Mexicans, thirty-five killed and fifteen wounded. Ugartechea, however, only reports seven of his troops killed and nineteen wounded, ten of whom were shot in the hand or arm; Kennedy raises the number on both sides, assigning to the Texans eleven killed and fifty-two wounded, twelve of them mortally, and to the Mexicans about one half killed of the 125 men engaged, while seventeen "lost their hands by the fearful drilling of the rifle."

Meanwhile the forces left by John Austin around Anáhuac maintained a steady blockade of the place, confining themselves to cutting off supplies and communication, without engaging in any active operation. Piedras, the commandant at Nacogdoches, having received Teran's instructions of May 31st, proceeded thither, about the end of June, with a small escort. On his approach he fell into the hands of the revolted settlers, and having heard their statements, promised that the imprisoned citizens should be released, and Bradburn removed. Piedras kept his word. Whether he would have done so under different circumstances is open to the gravest doubt;[46] but he saw plainly

[45] Consult Ugartechea's report in *Id.*, i. 205–16; *Kennedy*, i. 8–9; *Foote*, ii. 20–3; *Yoakum*, i. 293–5; and *Tex. Alm.*, 1872, 166–70. Dewees' account is not only false in most particulars, but is conspicuous for absurd exaggerations. He says that Ugartechea's force at Velasco was 1,000 men, Bradburn's 700, and Piedras' 1,300 men; that 700 Mexicans were put to flight at Anáhuac by 100 colonists, and that 1,300 men under Piedras on march to support Bradburn surrendered to 17 'brave Texan lads'! Ugartechea, too, was captured, according to this veracious letter-writer, with a large reënforcement on Galveston island by a company of the insurgents; the garrison at Anáhuac then surrendered themselves prisoners of war. *Letters*, 142–3. The particular letter containing this account is dated Colorado River, Texas, Dec. 1, 1832, and was consequently written only five months after the occurrences it professes to describe.

[46] In an official letter which he addressed to Bradburn, July 4, 1832, he requested him to continue in command at Anáhuac until the resolution of the commandant general was known. At the same time he counselled Bradburn

that it would be impossible to cope successfully with the insurgents Having entered Anáhuac July 1st, he assumed command on the following day, and surrendered from durance Travis and his companions, sending them to Liberty to have their cases decided by the judicial authorities at that place. It is needless to add that they were immediately released. Bradburn, though requested by Piedras before his departure to continue in command, was too offended to comply, and the latter, having appointed Lieutenant-colonel Cortiña to succeed him, and made other dispositions, returned to Nacogdoches. He had hardly turned his back, however, before the garrison at Anáhuac mutinied, and pronounced in favor of Santa Anna. Bradburn, at the instigation of the officers, reassumed command, and endeavored to keep the troops to their duty at the post by recognizing their pronunciamiento, and demanded that Cortiña should remain their chief. But it was of no use. The troops were determined to abandon the place. On the 13th most of them, with their officers, marched for the south; and at nightfall of the same day Bradburn—who says, doubtless with truth, that after his surrender of the command his life was in constant danger—slunk out of Anáhuac, and in disguise made his way to Louisiana, with a guide as his sole companion. On his journey he escaped molestation by saying that he was going to the United States to seek for aid to drive the Mexicans out of Texas.[47]

The opinion current in the south with regard to the revolt in Texas was that the colonists were attempting to separate from Mexico and annex the country to the

to exercise prudence, and adopt conciliatory measures, until the government could send a sufficient force to reduce the colonists to implicit obedience—'obligar á los colonos al cumplimiento de las leyes, y reducirlos á la mas ciega obediencia.' *Filisola, ut sup.*, 222.

[47] Consult the letters of Piedras and Bradburn's account in *Id.*, i. 218–30. Bradburn went from New Orleans to Matamoras in the early part of 1833. He entered Texas with Santa Anna in 1836, and being in command in Urrea's rear division, escaped death or capture at San Jacinto.

United States. Colonel José Antonio Mejía was, therefore, sent by Montezuma, the comandante at Tampico, and who had declared in favor of Santa Anna, with a squadron of six ships, having 400 troops on board, to punish the Texan insurgents. Touching at Brazos de Santiago, Mejía entered into a convention with Colonel Guerra Manzanares, of the Bustamante party, then in command at Matamoros,[48] the object of which was to enable him to prosecute his designs against the Texans without interruption. On June 14th he sailed for the mouth of the Brazos River, taking with him Stephen F. Austin, who was on his return from the state legislature, and came to anchor on the 16th. He immediately addressed a letter to John Austin, enclosing a copy of the convention with General Guerra, which, he said, would inform him of the motives that had brought him to that coast. John Austin's reply, however, showed matters in a different light, and caused Mejía to discard his preconceptions. The alcalde said that the enemies of Texas constantly attributed to the colonists a disposition to separate from Mexico. So far from such being the case, they were not only Mexicans by adoption, but in heart, and would remain so. He then touched upon the causes which had driven them to take up arms.[49] Mejía and Stephen F. Austin were conducted to Brazoria by a deputation of citizens; there they were received by the committee of vigilance, and the resolutions passed at Turtle Bayou on June 13th were presented to Mejía.

In order to impress Mejía with a right conception of the sentiments of the colonists, the ayuntamiento of San Felipe de Austin instructed the subordinate officers of the different settlements officially to convene the citizens, inform themselves of their political

[48] Teran had engaged Montezuma at Tampico and had been worsted. His want of success preyed on his mind, and he committed suicide at Padilla, June 3d of this year, by falling on his sword. *Hist. Mex.*, v. 111, this series. Copy of the convention will be found in *Filisola*, i. 256–9.

[49] *Edwards' Hist. Tex.*, 184–5.

views, and forward reports thereon to the ayuntamiento without delay. This investigation made it evident that under no circumstances would jurisdiction by military power be allowed to take the place of the civil authority guaranteed by the constitution. On July 27, 1832, the ayuntamientos in assembly at Austin embodied the sentiments of the colonists in a series of resolutions. After calling attention to the calumnies against Texas circulated by her enemies, and attributing the late outbreak to the tyrannical and illegal acts of Colonel Bradburn, the ayuntamientos as a body, expressing themselves in accord with the people of the Brazos district, pledged themselves to adhere to the principles of the republican party headed by Santa Anna, with no other object in view than to aid in sustaining the constitution, and to support the rights and privileges of the state of Coahuila and Texas, which had been insulted by military encroachments in the colonies since 1830. They moreover declared that the general and state constitutions ought to be religiously observed, and denounced a large standing army as a burden to the people and a continual disturber of the public peace, by affording the means of committing despotic acts. Copies of these resolutions were ordered to be presented to Colonel Mejía and the political chief Ramon Musquiz, with requests that they would respectively transmit them to Santa Anna and the governor of the state.[50]

Satisfied with these expressions of loyalty, Mejía, after visiting San Felipe and several neighboring settlements, sailed from the Brazos for Galveston Bay. On his arrival at the bar he met two or three small vessels from Anáhuac, having on board a detachment of the troops that had been stationed there. From Subarán, the officer in command, he heard of the late pronunciamiento in favor of Santa Anna and the flight of Bradburn; whereupon he turned his prows toward

[50] Copy of these resolutions in *Id.*, 188–90.

Tampico, without troubling himself about the forces which had left that post by land.[51]

While Mejía was in Texas he did not fail to advocate the principles of the revolutionary party, and invite the troops, stationed at the outlying posts, to support the plan of Vera Cruz, and hasten to the seat of war. Having no time to waste in Texas, he had hurried his own departure, but the seed he sowed bore fruit. The revolutionary infection spread rapidly. Of the garrison at San Antonio, the greater portion pronounced and marched southward; the detachments at Tenoxtitlan and other stations did the same; and by the beginning of August, a general exodus of the Mexican forces in Texas was taking place. Piedras at Nacogdoches alone remained true to his party principles and his post. But he was not to be left unmolested. He had made himself obnoxious to the merchants in his district, by monopolizing, to his own interest, the more lucrative portion of the trade with New Orleans, and his officers and troops, not holding the same pronounced opinions as himself, were restive.

As Piedras' opposition to Santa Anna was well known, it was determined to force him to declare for the revolution, or dislodge him. Accordingly, the authorities at Nacogdoches, in accord with those at Aes Bayou and other places, collected about 300 men, who, on August 2d, Piedras having refused to submit to their demands, invaded the town. James W. Bullock was in command. When the colonists had advanced to the centre of the town, they were charged by the Mexican cavalry, which delivered its fire and wheeled, receiving a volley in return. Encarnacion Chirino, the alcalde of the town, was killed by the Mexicans in this skirmish. The Texans now took up positions on the north and east sides of the stone building occupied by the Mexicans to the number of 350, and so galled the latter with their rifles, that Piedras evacuated the

[51] *Filisola, ut sup.*, i. 231–6, 250–61, 265–8.

place during the night. As the retreating troops were crossing the Anglena stream, they were fired upon by Colonel James Bowie and a small party of Texans who had succeeded in getting in their front. The same night the Mexicans pronounced in favor of the plan of Vera Cruz, and delivered Piedras up to the colonists. Piedras was conveyed to Brazoria, and thence sent to New Orleans, whence he proceeded to Tampico. The troops were allowed to pursue their march to Matamoros. According to Texan accounts the loss sustained by the Mexicans was forty-one killed and as many wounded, that of the colonists being three killed and five wounded.[52]

By the end of August not a Mexican soldier remained in the Texan colonies, the only force left in the department being a presidial troop of about seventy men stationed at San Antonio, under command of Colonel Antonio Elozua. This hardly sufficed to hold in check the Indians in the vicinity of that town. Thus was a brief period of freedom from oppression procured by the settlers.[53]

[52] This account of the capture of Nacogdoches is taken mainly from Yoakum, who had before him a statement of Col A. Sterne, who was in the engagement, Col Bullock's official report, and the journal of Asa M. Edwards, in whose charge Piedras was placed. *Hist. Tex.*, i. 297–9. Filisola's account *ut sup.*, i. 260–74—agrees with that of Yoakum in the main particulars. He, however, asserts that the Texans were repulsed at Nacogdoches, and resorted to tampering with the Mexican soldiers, which induced Piedras to evacuate the place. The loss of the Mexicans he places at one captain, Ortega by name, and a few of the soldiers—'algunos individuos de tropa;' Kennedy gives the loss of the Texans at three killed and seven wounded, that of the Mexicans 18 killed and 22 wounded. *Tex.*, ii. 14.

[53] Herewith is given a complete list of authorities for the foregoing chapters. *Suarez y Navarro, Hist. Mej.*, 85, 244–7, 314, 395–406; *Roa Bárcena, Recuerdos*, 643–53; *Méx., Col. Dec. Sob. Cong.*, 172; *Id., Col. Constituciones*, i. 195–273; *Id., Col. Ord. y Dec.*, ii. 203; iii. 46–7; *Id., Mem. Relac.*, 1827; *Id., Mem. Guerra*, 1830, p. 3; *Id., Mem. Guerra*, 1833, p. 8; *Id., Mem. Justicia*, 1831, annex 8; *Texas, Coll. Docs*, no. 50, in *Pinart, Coll.; Maillard's Hist. Texas*, 54–60, 369–71; *Austin, Esposic. al Publico*, 4; *Humboldt, Essai Polit.*, ii. 155, 822; *Id., New Spain*, ii. 247; *Mendibil, Resúmen Hist.*, 45; *Torrente, Revol. Hisp.-Amer.*, i. 235–9; *Gac. Imp. Mex.*, i. 129–32, 268–70, 282–6, 293–5; *Filisola, Mem. Hist. Guerra Tex.*, i. 127–35, 204–16; *Foote's Texas*, i. 221–92; ii. 8–26; *Dublan* and *Lozano, Leg. Mex.*, ii. 5; *Tornel, Breve Reseña Hist.*, 145–6, 171–3; *Id., Hist. Mex.*, 158; *Bustamante, Voz de la Patria*, ii., supl. no. 4; *Id., Hist. Iturbide*, 160–1; *Id., Cuad. Hist.*, viii. 177–8; *Arrillaga, Recop.*, 1829, 73; 1834, 47–50; *Kennedy's Texas*, i. 307, 361–4, 369–77; ii. 4–10, 444–68; *Arrangoiz, Méj.*, i. 125–8; ii. 196; *Arizpe, Idea Gen.*, 1–59; *Id., Memorial; Pike's Expl. Travels*, 341, 362–3; *White's Coll. Laws*, i. 416–548;

Gac. de Méx., 1811, ii. 301–2, 319–21, 359–66, 740–2, 1199–1203; 1812, iii. 35–6; 1815, vi. 94–5; 1819, x. 1229–35; *Hassel, Mex. und Guat.*, 208–12; *Ramsey's Other Side*, 16–17; *La Nacion*, Oct. 14, 1856; *Jay's Mex. War*, 12–15; *Hays' Life*, 2; *Revue Américaine*, ii. 583–4; *Lerdo de Tejada, Comerc. Est.*, 21; *Larenaudière, Mex. et Guat.*, 203, 230–3; *Dewees' Letters from Texas*, 55–72, 119–34; *Houston's Texas*, i. 206; *Guia de Hac. Rep. Mex.*, iv. 30–1, 308; vi. 267–8; *Lester's Houston*, 45–7; *Lesur, Ann. hist. univ. pour 1827*, 570–1; *Pena*, in *Mayer MSS.*, no. 19, p. 22; *Id., Mex. Azt.*, i. 327; *Id., Hist. Mex. War*, 43–9; *Baker's Texas*, 24–34, 69–76; *McClellan's Repub. in Amer.*, 104; *La Palanca*, Apr. 23, 1827; *Mex., Coah. and Texas, Colonization Law; Guerra, Rev. N. Esp.*, i. 364; ii. 370–2; *Cavo, Tres Siglos*, viii. 327–8; *Mexico in 1842*, 156–9; *La Minerva*, May 8, 1845; *Niles' S. Am. and Mex.*, i. 261–3; *Id., Register*, x. 402–4; xxvii. 270, 334; xxxi. 157; xxxiv. 334; xxxvi. 424; xxxvii. 49, 87, 137, 168, 213, 277, 394; xxxviii. 4, 291; xxxix. 101; *Mills' Hist. Mex.*, 177; *Holley's Texas*, 233–43, 316, 321–5; *Modern Traveller, Mex. and Guat.*, ii. 28–9; *Berlandier, Diario Viaje*, 54–9; *Semanario Polít.*, ii. 36–42; *Moffit's Rept*, in *Thompson's Rec. of Mex.*, 174; *Mora, Rev. Mex.*, iv. 109, 145–9, 169, 262–70; *Howitt's Hist. U. S.*, ii. 343; *Coah. y Tex., Leyes*, passim; *Gonzales, Coleccion N. Leon*, 153, 228–30; *Tex. Alm.*, 1859, 30–40; 1860, 225; 1861, 77–82; 1868, 48–9; 1872, 166–70; *Papeles Varios*, clxvii., pt 10; *Cor. Fed. Mex.*, Jan. 20, Feb. 18, Mch 4, 12, 16, 17, 18, 29, July 21, Aug. 18, Nov. 23, Dec. 8, 1827; Feb. 18, May 2, June 1, 1828; *Grattan's Civilized America*, ii. 285–6; *Blanchard et Dauzats, San Juan de Ulúa*, 531; *Edinb. Review*, no. 147, p. 256, 259; *Pattie's Narrative*, 290–1; *Pinart's MSS.*, no. 7; *Id., Col. Doc.*, MSS., i., no. 248; *Id.*, Print, no. 214, p. 2; *El Veracruzano Libre*, June 14, 1828, pp. 1–2; *Smith's Remin. Texas*, 27; *Dicc. Univ. Hist. Geog.*, ap. i. 84; *Thompson's Recoll. Mex.*, 174–7; *Pino, Nuevo México*, passim; *Alaman, Notic. Biog.*, 47–56; *Id., Mem. á las Cámaras*, 29–30; *Id., Hist. Méj.*, ii. 26–9, 94–9, 165–89, 208, 245–6, 257–8, ap. 34–5; v. 238–9, 701–2; *Hutchison's Remin.*, 208–15; *Córtes, Actas Ord.*, 1814, ii. 266; 1812, xiv. 177; 1813, xviii. 423; 1820, xi. 29–31; *Almonte, Not. Est. Tejas*, 14; *Escalera y Llana, Méx. hist.-descript.*, 13; *Espíritu Públ.*, Nov. 24, 1828; Jan. 22, 1829; *Museo Mex.*, ii. 106; *Young's Hist. Mex.*, 220; *Ward's Mex.*, 553, 588–9; *Nouv. Annales Voy.*, lix. 372–5; *Diaz Calvillo, Sermon*, 143–6; *Domenech's Miss. Advent.*, 20; *Id., Journal d'un Miss.*, 23; *Rivera, Hist. Jalapa*, 23–8, 81, 262–3, 342; *Fournel, Coup d'œil sur Texas*, 9–12; *Zamacois, Hist. Méj.*, vii. passim; ix. 222; *Visit to Texas*, 214–17, 261–2; *Bolet. Geog. Estad. Mex.*, ii. 20; *Hunt's Address*, 23–5; *Rockwell's Span. and Mex. Law*, 641–52; *Thrall's Hist. Texas*, 158–202, 482–5; *Id., Hist. Methodism; Zerecero, Rev. Mex.*, 301–2, 367–74, 383–90; *Atleta*, 1830, 215–16, 225–8, 289; *Willson's Amer. Hist.*, 631–7; *Bolet. Soc. Mex. Geog.*, ii. 6, 20; vii. 138; ix. 267; *Id.*, 2da época, i. 291.

CHAPTER VII.

PROPOSED SEPARATION OF TEXAS FROM COAHUILA.

1832–1835.

ARGUMENTS IN FAVOR OF SEPARATION — THE TEXAN CONVENTION — A SECESSIONAL CONSTITUTION — POLITICAL AFFAIRS IN THE MEXICAN CAPITAL — SANTA ANNA'S CRAFTINESS — AUSTIN PRESENTS A MEMORIAL TO THE FEDERAL GOVERNMENT — ITS RECEPTION — AUSTIN INJUDICIOUS — HIS ARREST FOR TREASON — DRAGGED FROM COURT TO COURT — HIS LETTER TO THE TEXANS — MAILLARD'S BOOK — SANTA ANNA DICTATOR — AFFAIRS IN COAHUILA — TEXAS RECEIVES REDRESS — SALTILLO VERSUS MONCLOVA — ADJUSTMENT OF DIFFERENCES — SANTA ANNA'S DECISION ON THE TEXAN PETITION — ALMONTE'S REPORT — POPULATION OF TEXAS — FRAUDULENT SALES OF PUBLIC LANDS — SEPARATISTS AND ANTI-SEPARATISTS.

In their first general attempt at resistance, narrated in the previous chapter, the Anglo-Americans were favored by the successful progress of the revolution in Mexico. Had it not been for this, their triumph, if indeed they had gained one, would have been of a more sanguinary character. As it was, the almost unanimous defection of the Mexican troops in favor of Santa Anna precluded the necessity of much fighting, and rendered victory easy. On the appearance of Mejía, the colonists were shrewd enough to represent their late action as the practical utterance of political principles identical with those expressed in the plan of Vera Cruz; and that commander, apparently satisfied as to their loyalty, left the field to them, being too anxious to return to the seat of the more important struggle. Thus countenanced by a powerful faction, relieved from the possibility of any immediate attempt on the part of Bustamante's government

to chastise them, and hopefully reliant on their own physical strength, they began to aim at the acquirement of an independent local administration.[1]

The reader will recollect that, on the formation of the state of Coahuila and Texas, there was a proviso in the decree, to the effect that when Texas possessed the necessary elements to form a separate state, notice should be given to the general congress for its resolution on the matter. This was virtually an admission that the union of the two provinces was only provisional, and that the erection of Texas into a state at some future date was contemplated. The Texans considered that the time had arrived when the fulfilment of this promise might be expected. This aspiration was based on the extraordinary progress made in Texas, on the fact that her interests were entirely distinct from those of Coahuila, and were generally sacrificed or lost sight of by the state legislature, and that beneficial legislation could only be obtained by disunion. In the state congress her representation was greatly in the minority, and though the legislature in some instances showed a disposition to be liberal, its acts had little regard for the welfare of Texas whenever the interests of Coahuila were concerned. In no respect was the want of community of interests more evident than in commercial matters. The geographical position of Coahuila excluded it from maritime trade, and its commerce was altogether internal, whereas Texas possessed great natural advantages for the development of an extensive commercial business with foreign countries. In climate and industrial pursuits, also, the contrast was equally marked, and the productions were dissimilar. Pastoral and mining occupations prevailed in Coahuila; Texas was essentially an agricultural country, and cotton, sugar, and cereals were being cultivated with most flattering

[1] At a public dinner given to Mejía one of the toasts was: 'Coahuila and Texas—they are dissimilar in soil, climate, and productions; therefore they ought to be dissolved.' *Edwards' Hist. Tex.*, 187.

prospects. The limit of the production of these commercial staples depended only on the future prosperity of the colonies, which was a matter of serious doubt under the existing political arrangement. In other respects, too, Texas labored under grievous disadvantages. The remoteness of the higher judicial courts practically excluded the poorer classes from appeal in civil cases, and gave the wealthy opportunities beyond the reach of most litigants; while in criminal cases, the tedious process of the law, and consequent long delays in pronouncing and executing sentence, tended to defeat the ends of justice.

On the 28th of April, 1832, a state law was enacted embodying the spirit of the obnoxious decree of April 6, 1830. The liberal colonization law of March 24, 1825, was repealed; Mexicans alone were allowed to become empresarios in future, and to Mexican purchasers the prices of lands were reduced; natives of the United States were excluded from becoming settlers, while at the same time the rights of colonists were extended.[2] Existing contracts, however, were recognized, and in some instances the time for fulfilment extended. The legislature, also, with some show of liberality, passed a law creating new municipalities in Texas, and allowing the people to elect their own municipal officers.

As soon as the colonists saw Texas cleared of Mexican troops, they began to take measures to address the national government on the subject of their aspirations. In October 1832 a preliminary convention of delegates from different municipalities was held at San Felipe, and some discussion on the formation of a state constitution took place. Owing to the shortness of the notice given, delegates from several districts were not in attendance, and the convention, after a week's deliberation, adjourned. Although the labors of this assembly concluded with no satisfactory result, the convocation of it had neverthe-

[2] *Coah. y Tex. Leyes*, Dec. no. 190.

less brought the question seriously before the public; and when a second convention assembled April 1, 1833, it was prepared to accomplish the work assigned to it. The number and names of the delegates who composed this memorable convention are not known, but among them were some of the most distinguished men in Texan history. Stephen F. Austin, Branch T. Archer, David G. Burnett, Sam Houston, J. B. Miller, and William H. Wharton may be mentioned, the last named being elected to preside. Two important committees were appointed, the one to frame a constitution, and the other to draw up a memorial petitioning the general government to grant the separation of Texas from Coahuila. Sam Houston was appointed chairman of the first, and David G. Burnett of the second.

The constitution draughted was thoroughly republican in form.[3] It provided for freedom of elections and universal suffrage, secured the right of trial by jury, and the privilege of the writ of habeas corpus, personal security, the right of petition, and freedom of the press; treason against the state was to consist only in levying war against it or adhering to its enemies; elections were to be held by ballot; and the advancement of education was left in the solemn charge of the legislature. Generally the draught was modelled on the constitution of the United States, certain modifications being introduced so as to adapt it to the condition of the Mexican federation. For instance, silence was observed on the subject of religious liberty. Much discussion occurred on the subject of banking; finally, a clause was inserted to the effect that no bank or banking institution, no office of discount or deposit, or any other moneyed corporation or banking establishment, should exist under that constitution.

The memorial to the general government was drawn up by David G. Burnett, and ably set forth the

[3] A copy of it will be found in *Edwards' Hist. Tex.*, 196–205.

position of Texas. The disadvantages it was laboring under, which I have already mentioned, and the disasters attendant upon its union with Coahuila, were forcibly delineated, and the authority of precedents in the formation of New Leon, Chihuahua, and Durango into states was appealed to in support of the petition.[4] Stephen F. Austin, William H. Wharton, and J. B. Miller were appointed delegates to proceed to the city of Mexico and present the memorial to the supreme government. Austin was the only one of these commissioners who went to Mexico. On his arrival at the capital he found it the scene of virulent party faction and political confusion.

Affairs in Mexico had been undergoing the customary vicissitudes and revulsions. No more stability of principle is observable in Santa Anna than in Bustamante. Both used the constitution of 1824 as a clap-trap to introduce themselves to power, and then both cast it to the winds. At the end of 1832 these two generals, after much bloodshed, came to terms, and agreed to unite in support of the said constitution. Pedraza, who had been legally elected in 1828, was reinstated and recognized as president till April 1, 1833, the date on which his term of office would expire. Early in that year the elections were held, and on March 30th congress declared Santa Anna and Gomez Farías duly elected president and vice-president respectively. From this time Santa Anna's course is remarkable for subtle intrigue and political craftiness, used for the promotion of his ambitious schemes. Never appearing himself as the principal actor, or instigated in the strife between federalists and centralists, he nevertheless manipulated the puppet-strings of both parties to serve his own purpose, and ever made use of some cat's-paw to secure the prize he aimed at, namely, dictatorial power. Gomez Farías was the

[4] Copy of this excellent memorial will be found in *Yoakum*, i. 469–82; *Tex. Almanac*, 1869, 40–50.

known champion of reform, and Santa Anna, absenting himself from the capital, left it to him to introduce innovations which he well knew would cause great agitation, while he secretly intrigued with the bishops and religious orders. The reform measures attacked the interests of the two powerful elements of the church and army, and indications of the approaching storm were soon plainly visible. Santa Anna now assumed his office as president—May 16, 1833—but in less than three weeks he again surrendered it, June 3d, to Farías, in order to march against an insurgent force that had appeared near Tlalpam under Duran. Ignacio Escalada had proclaimed, May 26th, in favor of the ecclesiastical and military fueros, and called upon Santa Anna to protect them. The wily president, hoping that in his absence a similar demonstration would be successfully made in the capital, went through the farce of a fictitious capture of himself by his own troops under the command of Arista, who proceeded to proclaim him dictator. But an attempt at revolution in the capital on June 7th failed, owing to the energy of Farías; whereupon this versatile intriguer effected a pretended escape from his captors, reassumed his presidential authority, and for a time lent his support to the liberal party in order to reëstablish himself in the confidence of the supporters of the constitution. Then he took the field again, and finally the revolutionary army surrendered to him October 8th, at Guanajuato, and Arista and Daran with other officers were sent prisoners to Mexico. As the only road, however, to supreme power was the conservative highway occupied by the military and ecclesiastics, Santa Anna now changed his opinions, and showed himself disposed to favor a reaction. Having thus artfully again put progressionists and retrogressionists against each other, under the pretext of ill health he retired, December 16, 1833, to his hacienda of Mauga de Clavo, leaving the leaven of his craftiness to ferment.[5] Such is an outline of the political

[5] Consult *Hist. Mex.*, v. 122–36, this series.

events which were taking place when Austin arrived, July 18, 1833, at the capital.

The Texan commissioner lost no time in presenting the memorial to the government, laying before it also other matters in connection with his mission, such as the establishment of a weekly mail between Nacogdoches and Monclova, and one between Goliad and Matamoros, the modification of the customs tariff,[6] and the payment of presidial troops. He was well received by Farías and the ministers, but in the turmoil of contending parties, August and September passed without anything being done with respect to Texan affairs, except that the petition was referred to a committee of congress. At the beginning of October the result of the civil war then raging was extremely doubtful, and Austin considered it his duty to represent in no equivocal language the true position of affairs in Texas, and the strong feelings entertained by the colonists. He therefore, on October 1st, expressed the opinion to Farías, that if some remedy for their grievances were not quickly applied, the Texans would take the matter into their own hands, and tranquillity would be rudely disturbed.[7] This intimation, though respectfully made, was regarded as a threat, and the government took offence. At the same time Austin addressed a letter, dated October 2d, to the ayuntamiento of San Antonio de Béjar, in which, after expressing his hopelessness of obtaining any relief in the paralyzed state of public affairs, he recommended that municipality to lose no time in com-

[6] The petition concerning the tariff deserves attention. It requested the national government to grant for three years the privilege of introducing free of duty the following articles: 'provisions, iron and steel, machinery, farming utensils, tools of various mechanic arts, hardware and hollow-ware, nails, wagons and carts, cotton bagging and bale rope, coarse cotton goods and clothing, shoes and hats, household and kitchen furniture, tobacco for chewing, in small quantities, powder, lead, and shot, medicines, books, and stationery.' These articles, indispensable to the prosperity of the colonists, were either prohibited, or subject to duties so high as to amount to a prohibition. *Edwards' Hist. Tex.*, 209–10.

[7] Austin's corres., in *Edwards' Hist. Tex.*, 211.

municating with all the other corporations of Texas, and exhorting them to concur in the organization of a local government, independent of Coahuila, under the provision of the law of May 7, 1824, even if the general government should refuse its consent.[8]

On the surrender of Arista at Guanajuato, however, and the termination of the civil war, the government had more leisure to attend to the interests of Texas. Santa Anna convoked a special meeting of the ministers November 5th, to consider the question of its separation from Coahuila. Austin was present at the deliberation, representing the interests of the Texans. The matter was frankly and fairly discussed, and though the government decided that the time had not yet arrived to erect Texas into an independent state, it expressed itself disposed to favor the pretensions of the colonists, and promote the welfare of the province with that ultimate object. Nor were these idle promises. Several dispositions were made for the benefit of Texas. The state government was urged to adopt measures of reform which would procure for the colonists the enjoyment of just rights, both in matters civil and criminal; suggestions were made as to the means which ought to be employed for the more convenient administration of justice, and even the establishment of the jury system was strongly recommended. Further interference did not belong to the attributes of the general government, but it showed its friendly inclination by abrogating the 11th article of the law of April 6, 1830, which virtually prohibited the colonization of Texas by Anglo-Americans,[9] and took measures to meet the wishes of the colonists regarding other matters already mentioned.

[8] *Austin, Espos. Asunt. Tej.*, 18–20. Austin states that his object in so doing was to prevent a popular outbreak, 'queriendo Austin con esta medida, de pura prevencion, evitar las fatales y funestas consecuencias que resultarian de un desenfreno popular.' *Id.*, 20. Copy of Austin's letter of Oct. 2, 1833, in *Id.*, 31.

[9] *Id.*, 27–8. The decree of abrogation was issued Nov. 25, 1833, but was not to take effect till six months after its publication. *Dublan* and *Lozano, Leg. Mex.*, ii. 637.

Austin, well satisfied with the results attained, and the manifest friendliness of the supreme powers, deemed it politic not to molest the government by over-zealously urging the more particular object of his mission. On the 10th of December, therefore, he left the capital, and arrived January 3, 1834, at Saltillo, where, having presented himself to the commandant general, he was arrested by order of the vice-president, Farías. The cause of this was, that the ayuntamiento of San Antonio, having received his letter of October 2d, disapproved of Austin's recommendations, and sent the communication to the central government. Farías had not forgotten Austin's out-spoken utterances at the time when this letter was despatched, and deeply exasperated at the discovery of the commissioner's treasonable designs, as he regarded them, he sent an express to the different governors of the states through which Austin would have to pass, with orders to arrest him.

From Saltillo the unfortunate commissioner was sent back to the city of Mexico, where he was incarcerated February 13, 1834, in a dungeon of the old inquisition building. Here he was kept in close confinement and treated with much rigor for three months, not being allowed to communicate with any one, or permitted the use of books or writing materials.[19] His case having been referred to the military tribunal, that court decided that it had no jurisdiction in the matter, and on June 12th Austin was removed to a more commodious prison, where his treatment was less rigorous. His case was next successively submitted to a civil tribunal, and to the federal district judge, but with the same result. Finally, about the middle of August, it was carried to the supreme court of Mexico to decide what tribunal was competent to try him. Thus after eight months' imprisonment Austin

[19] He attributes this severity to the personal animosity of Farías, which was aroused by the plain language used by Austin at the interview he had with him Oct. 1, 1833. Austin's corres., in *Edwards' Hist. Tex.*, 211.

was still unable to learn by what court his case would be investigated.

In a letter dated August 25, 1834, Austin states that he had long ago requested to be delivered to the authorities of the state of Coahuila and Texas, and that Santa Anna, who was friendly to Texas and himself, would have already liberated him, had it not been for representations forwarded by the state government. These representations, it was affirmed, were founded on statements hostile to him, made by influential Anglo-Americans residing in Texas. It appears that Austin's appointment as Texan commissioner to Mexico had met with some opposition, on the ground, as asserted by his antagonists, that he was "too mild and lukewarm" on the subject of separation, and would not display sufficient independence and firmness in supporting the petition. That these opponents should attack him, after the course that had been followed by him, he could not understand, and was unwilling to believe. He goes on to state that, in view of the fact that the evils complained of by Texas had been remedied, those who had previously been in favor of separation from Coahuila were now opposed to it, inasmuch as the reasons which made separation necessary no longer existed. His motto had always been, "Fidelity to Mexico, and opposition to violent men or measures." Summing up the contradictory views taken of his conduct, he says that at one time he was abused for being too Mexican, and at another was vilified for yielding to popular opinion and firmly and fearlessly representing it. Alluding to a letter addressed by him January 17, 1834, from Monterey to the ayuntamiento of San Felipe de Austin, in which he earnestly urged submission to the authorities of the state and general governments, and that a public act of gratitude should be expressed for the remedies obtained for many evils which threatened Texas with ruin, he reiterates the advice then given, with the additional recommendation to discountenance all persons "who were in the habit

of speaking or writing in violent or disrespectful terms, or in language of contempt or defiance, of the Mexican people or authorities." Austin next urges the Texans to keep clear of all political quarrels arising in the Mexican republic, and begs them to recognize Santa Anna, of whose friendly intentions he again makes mention, until he should be constitutionally deposed by the legal vote of the people. Texas, he concludes, "had been so much jeopardized in its true and permanent interests by inflammatory men—political fanatics, political adventurers, would-be great men, vain talkers, and visionary fools—that he began to lose confidence in all persons except those who sought their living between the plough-handles." He advises the farmers to adopt the motto he himself had always followed: "The balance of the people, mere demagogues and political fanatics, would disappear before sound public opinion."[11]

I have drawn somewhat fully upon the contents of this letter, for the reason that they are pregnant with suggestions. From the statements made by Austin, it is difficult to avoid the conclusion that Santa Anna, under the mask of friendship to Texas and ostentatious consideration for the commissioner, was practising his usual plan of covert and non-compromising action. The referring of Austin's case from court to court for trial, the charge being that of treason, was transparently a trick to gain time, which, supported by fair promises, secured temporary quiet in Texas.[12] The dictator—for such Santa Anna was at this time—could wait, with his customary patience, for an opportunity to deal with the Texan colonists as his convenience might require. That Austin was shrewd enough to understand Santa Anna's secret views is much to be doubted. I am inclined to believe that his advice to the Texans was given in all sincerity, and

[11] The reader is referred to a copy of this letter in *Edwards' Hist. Tex.*, 210–20.

[12] Yoakum considers that Austin was held as a sort of hostage for the good behavior of Texas. *Hist. Tex.*, i. 324.

with perfect confidence in Santa Anna's professions. It is true that the tone of his letter displays an apprehension of foul play at home, and a natural anxiousness to obtain his release; but to charge him, as Maillard does,[13] with having written what he did, solely with the object of effecting his return to Texas, would be an unwarrantable condemnation. Austin had too sincerely at heart the welfare of his colonies to allow personal inconvenience to have weight in his judgment when the question to be decided was that of peaceful prosperity or danger of ruin. He believed that he was perfectly justified in offering advice the reverse to that expressed in his letter to the municipality of Béjar, and his having given utterance to it previous to his arrest[14] is conclusive evidence that his

[13] This writer says: 'Col Austin, who was himself the most crafty of the "political fanatics, political adventurers, would-be great men, and vain talkers," wrote in this bland style, solely to escape from the clutches of the Mexican government, and not with a view to restore tranquillity to Texas.' *Hist. Rep. Tex.*, 73. It would be hard to discover a more prejudiced and jaundiced author than 'N. Doran Maillard, Esq., barrister at law, of Texas.' Being in delicate health, he left his native England for Texas, where he arrived Jan. 30, 1840, and after a residence there of six months—during which he was for a time editor of the *Richmond Telescope*, became a member of the Texan bar, studied the character of the Texan government and inhabitants, and spent much time in visiting different parts of the country—he deemed himself competent, from his personal observations and some information gathered from public men and official records, to furnish the British public with an unvarnished account of what Texas and the Texans really were. Accordingly, on his return to England he published *The History of the Republic of Texas, from the Discovery of the Country to the present Time; and the Cause of her Separation from the Republic of Mexico*. London, 1842, 8vo, pp. 512. In his preface Maillard states that his object was to present the true origin and history of the Texan rebellion against Mexico, to warn the British government against the ratification of a treaty with a people whose existence as a nation was owing to their own base treason, and a political juggle of Andrew Jackson when president of the U. S., and to prevent more of his own countrymen from sharing in the ruin and wretchedness of too many others who had already emigrated to Texas. If a virulent exposure of all the shortcomings of the Texans, a malicious suppression of everything that he might have said in their favor, a wilful omission of any mention of their many virtues, and frequent abusive epithets applied to them, could gain for Maillard the accomplishment of his hopes, he must have been eminently successful. His antipathies are not confined to the Texans, a liberal share of his displeasure being vented upon the United States. In keeping with his unfair treatment of the subject is the partiality he shows to the Mexicans, whom he labors to defend, and whose wrong-doings he hides. In a work written under the influence of such prejudices, it is natural that carelessness as to accuracy and conclusions glaringly false should be found. Maillard, however, does not hesitate to arraign Kennedy on the score of want of carefulness as to facts, and disparagingly speaks of his excellent work as 'two well-puffed volumes.'

[14] Consult *Austin, Espos. Asunt. Tej.*, 21.

change of opinions was due to change of circumstances, and not to personal considerations. In other respects Stephen Austin's letter throws light upon the social and political condition of the colonies. We can already realize the influx of a disturbing element which will not rest till the annexation of Texas to the United States has been consummated. We can recognize the fact that a large portion of the population would be satisfied with receiving redress from time to time for their grievances, and was content to retain possession of the homes they had made for themselves, and peacefully follow their pursuits, as citizens of the Mexican republic; and we can picture to ourselves the work of political agitators, engendering a spirit of antagonism to Mexico, and mark the development of a difference of opinions which before the war of independence divided the colonists for a time into two parties.

But it is necessary to revert to the political events which took place in the state of Coahuila and Texas during this term of Austin's imprisonment, as well as relate other subsequent occurrences which transpired before his release and return to Texas in September 1835.

While Santa Anna was pretending to be recruiting his health at Manga de Clavo, the reactionary party under his secret manœuvring and encouragement daily gained strength. He was frequently invited to become its leader, with the promise of unlimited power; and considering the fruit of his intrigues at last ripe, he returned to the capital and relieved Farías of the executive power April 12, 1834. On May 23d following the plan of Cuernavaca was adopted, which denounced religious reform, proclaimed the fueros, declared that the deputies who had passed the late obnoxious reform laws had lost the public confidence and had forfeited their positions, called upon Santa Anna to uphold the constitutional safeguards, and

assured him of the aid of the military force at Cuernavaca. Acting on the strength of this demonstration, the president on the 31st dissolved congress by a coup-d'état. But he did not rest here; state legislatures and ayuntamientos were disbanded, governors were deposed, and adherents to the plan of Cuernavaca placed in the vacant positions. Santa Anna was now indeed dictator, and having played the despot to his heart's content, at the end of 1834 convoked a congress which met January 1, 1835. The privileged classes had triumphed as he had expected; and having succeeded in converting the country into a chaotic field of party strife, thinking it now convenient to retire, tendered his resignation. The congress refused to accept it, but granted him leave of absence; whereupon he withdrew to his usual retreat, the hacienda of Magna de Clavo, and applied himself to his favorite diversons of cock-fighting and political jugglery.[15]

In August 1832, after some little excitement and trifling disturbance, the inhabitants and military of Saltillo had declared in favor of Santa Anna's plan of that year, and their pronunciamiento was approved by the governor, José María de Letona, and the ayuntamiento.[16] But discord soon broke out in Coahuila. In March 1833 the state congress removed the seat of government to Monclova[17]—a proceeding which gave great offence to the inhabitants of Saltillo, who were further exasperated by decrees disbanding the civil force of the latter place and annulling the enactments of April and May 1829, and April 1832, which prohibited foreigners from retailing goods within the territory of the state. Two bitter factions were developed; the people of Saltillo revolted, and the legislature at Monclova, in default of a governor, formally invested Francisco Vidaurri with the executive power by decree of January 8, 1834.

[15] *Hist. Mex.*, v. 136–43, this series.

[16] *Coah., 1832, Pinart Col.*, no. 248.

[17] A decree had been passed as early as Sept. 25, 1828, declaring Monclova the capital of the state. *Coah. y Tex. Leyes*, 107.

Various acts beneficial to Texas were passed by this legislature. The municipalities of Matagorda and San Augustin were created, Texas was divided into three departments, the new one of Brazos with San Felipe as its capital, being organized, the English language was permitted to be used in public affairs, and an additional representative in the state congress allowed; the privilege of purchasing vacant lands was granted to foreigners, laws were passed for the protection of the persons and property of all settlers, whatever might be their religion, and freedom from molestation for political and religious opinions was guaranteed, provided public tranquillity was not disturbed.[18] During the same session a decree was passed in April providing for a supreme court for Texas, which was constituted into one judicial circuit divided into three districts; the much desired system of trial by jury was also established by this law.[19]

These liberal measures had great effect in promoting temporary quiet in Texas, but subsequent events rendered them nugatory to prevent the revolt of the colonists. On the last day of April the legislature closed its sessions, and Coahuila lapsed into a miserable state of confusion. Intelligence of the plan of Cuernavaca caused increased agitation, and an extra session was convoked for August 11th. In July Saltillo pronounced against the state government, formed

[18] See decrees of March 1834. *Kennedy*, ii. 61, note; *Yoakum*, i. 319–20; *Baker's Tex.*, 522.

[19] Thomas Jefferson Chambers was appointed superior judge of the circuit. Chambers was a native of Virginia, a lawyer by profession, and highly talented. In 1826 he went to the city of Mexico, where for three years he studied the language, laws, and institutions of the country, making himself a master of them, and obtaining his license to practise law in the Mexican courts. He removed to the state of Coahuila and Texas in 1829, and was appointed surveyor-general of Texas by the authorities at Saltillo. Owing to the confusion incident to the approaching revolution, Chambers was unable to organize the supreme and district courts, and in 1836, when Texas was threatened with invasion, he went to the U. S. to obtain money and men to aid in the war of independence. In June 1837 he reported to the Texan congress that he had sent 1,915 men, and expended $23,621 of his own money, besides selling bonds to the amount of $9,035. His statement was approved by the congress, and the auditor directed to settle with him. Chambers was murdered in his own house in 1865, no clew ever being obtained as to the perpetrator of the crime. *Thrall's Hist. Tex.*, 525–6.

one of its own, and appointed José María Goribar as military governor. At the same time all the acts of the state legislature from the 1st of January, 1833, were declared to be null and void.[20] On August 30th a decree was passed at Monclova by the permanent deputation, and such members of the congress as could be assembled, setting forth the impossibility of uniting sufficient deputies to hold an extra session. Juan José Elguezabal was appointed governor in place of Vidaurri, who was unable to act on account of ill health, and the movement directed against the laws of ecclesiastical reform recognized as national, or in other words, the plan of Cuernavaca was adopted, and Santa Anna acknowledged in his new robes of statecraft supremacy.[21]

The period designated by the constitution for the elections arrived, and they were held under the disputed authority of the two rival and illegitimate governments, aggravating party animosity, and involving the state in anarchy. Both parties prepared for bloodshed; but before any serious collision took place a compromise was effected at the beginning of November, and the leaders of the factions agreed to refer the question of their differences to Santa Anna. The dictator willingly accepted the position of arbiter, and on December 2d announced the following decisions: 1. The seat of government should remain at Monclova; 2. Elguezabal was to continue to act as governor until a new election; 3. A new election for governor, vice-governor, and members of the legislature was to be ordered for the entire state.[22]

[20] *Edwards' Hist. Tex.*, 220; *Arrillaga, Recop.*, 1835, 192.

[21] *El Tiempo*, 14 Agosto, and 18 Set., 1834, 172, 309, where will be found copy of decree. This proceeding was based on the 90th article of the state constitution, which says: 'Si las circunstancias ó los negocios que han motivado la convocacion estraordinaria del congreso fueren tan graves y urgentes, mientras puede verificarse la reunion, la diputacion permanente unida con el consejo y los demas diputados que se hallen en la capital, tomará las providencias del momento que sean necesarias, y dará cuenta de ellas al congreso luego que se haya reunido.' *Mex. Col. de Constit.*, i. 226–7. Yoakum considers that Vidaurri was deposed. i. 323.

[22] Copy of the decree in *Arrillaga, Recop.*, 1835, 192–5.

This arrangement proved satisfactory and new elections were held. Agustin Viesca was elected governor, Ramon Músquiz vice-governor, and the requisite number of deputies chosen.[23] But the legislature did not assemble until March 1, 1835, instead of January 1st, and Viesca did not enter office before April.[24]

It will be remembered that Austin's case was submitted in August 1834 to the supreme court of the nation. That tribunal, however, never declared any decision, nor was Austin ever brought to trial. This anomalous course of proceeding, favorable certainly to the accused, was due to the influence of Santa Anna, who deemed it politic to temporize in regard to settling definitely Texan affairs, and under the cloak of friendship secure the commissioner's pronounced appreciation of his good-will. The dictator gained his point, whether Austin was hoodwinked or not,[25] but his concealed intentions are made somewhat apparent by the decision he arrived at in October 1834.

On the 5th of that month he convoked a meeting for the serious discussion of the Texan question. The council was composed of the four secretaries of state, three confidential generals, three representatives to the national congress from Coahuila and Texas, Lorenzo de Zavala, and Stephen F. Austin. The deliberation lasted three hours, Austin seriously urging the separation of Texas from Coahuila, and its formation into an independent state, which was as strongly op-

[23] *Id.*, i. 323, 326; *Edwards*, 220, 231-2; *La Oposicion*, 1 and 11 Mayo, 1835, 106-7, 137-8; *Pinart Col.*, Print, no. 386. Filisola states that Viesca had been constitutionally elected Sept. 9, 1834, and that this election was ratified by the new congress in spite of the elections ordered by Santa Anna, and Viesca's ineligibility under the convocation issued by Elguezabal, which provided that no one could be a candidate who had been, as Viesca had, a deputy to the general congress within the last two years. ii. 112-13.

[24] Elguezabal resigned March 12th, and Jose María Cantú was appointed governor provisionally until the votes polled in the departments of Brazos and Nacogdoches were known. *Pinart Col.*, Print, no. 374.

[25] In a party circular addressed to the Texans in November 1834 these words occur: 'We assure you that the feelings of the federal government, particularly those of the president, are of the most favorable character towards Texas. We are assured of this fact by our representative (Colonel Austin).' *Edwards*, 227.

posed by the state representatives. Santa Anna finally resolved: 1. That he would meditate maturely the decree repealing the 11th article of the law of April 6, 1830, and, if no objections were presented, would give it his sanction; 2. That a corps, composed of cavalry, infantry, and artillery, four thousand strong, should be stationed at Bexar, for the protection of the coast and frontier of the country, to be under the command of General Mejía; 3. That proper steps should be taken to have regular mails, and to remove all obstacles to the agricultural and other industries of the inhabitants, "who are viewed with the greatest regard;" 4. That Texas must necessarily remain united with Coahuila, because it had not the elements warranting a separation, nor would it be convenient. And though it might be allowed to form a territory, if the inhabitants called for it, yet the dismembering of a state was unknown to Mexican laws, and he would be at a loss how to proceed.[26]

These decisions make it evident that the president's policy was to occupy Texas with such a military force as he might consider sufficient to hold the colonists under control, and compel subjection to whatever change he might choose to make in the liberal measures temporarily adopted. No reference whatever was made to the petition on the subject of the tariff, and the offer to form Texas into a territory was a sop containing more gall than honey. Texas as a territory would assuredly be more subject to the rule of the national government than as a portion of an integral state. Of this the colonists were aware, and they were opposed to a change which would leave their interests in a more questionable position.[27] With

[26] *Yoakum*, i. 325–6. *Victor Blanco to the Governor of Coahuila and Texas*, October 6, 1834, is quoted by this writer as his authority. *Texas Col. Doc., Pinart Col.*, Print, no. 48.

[27] Austin in a letter dated Mexico, March 10, 1835, says: 'The territorial question is dead. The advocates of that measure are now strongly in favor of a state government; and that subject is now before congress. A call has been made upon the president for information on the subject; and I am assured the president will make his communication in a few days, and that

regard to the decision that Texas did not possess the elements to warrant its formation into an independent state, it is undeniable that this was a fact, for it was wanting in the most important requisite, namely, population. The eleventh article of the constitution of 1824 provides that the states shall send to the national congress one deputy for each 80,000 inhabitants, and for any fraction of that number exceeding 40,000.[28] How, then, could the Texans claim that they were properly qualified to constitute a state when their population did not amount to the last-named figures?[29]

it will be decidedly in favor of Texas and the state.' This was regarded as 'agreeable information.' *Edwards*, 241.

[28] *Mex. Col. Constitue.*, i. 38. It is true that this clause is added: 'El estado que no tuviere esta poblacion nombrará sin embargo un diputado;' but this had regard only to existing states. It was plainly intended that a territory or province elevated, in the future, to the rank of state should have at least 80,000 inhabitants.

[29] In the spring of 1834 Col Juan Neponmuceno Almonte was sent by the supreme government to Texas to report upon its condition. He returned in the beginning of November of the same year. Almonte places the civilized population of Texas at 21,000, estimated as follows: the department of Béjar, 4,000; that of Brazos, 8,000; and that of Nacogdoches, 9,000. He estimated the number of Indians at 15,300, of whom 10,800 were hostile. His tabular form, no. 4, is interesting, as supplying a list of the municipalities and pueblos existing at that date. The department of Béjar contained four municipal towns, namely, San Antonio, Goliad, San Patricio, and Guadalupe Victoria; that of Brazos contained five, to wit, San Felipe, Columbia, Matagorda, Gonzalez, Mina, and the pueblos Brazoria, Velasco, Bolivar, and Harrisburg; and that of Nacogdoches four municipalities, Nacogdoches, San Augustine, Liberty, and Johnsburg, with the pueblos Anáhuac, Beville, Teran, and Tamahá. In January 1835 Almonte published his report, or such portion of it as was expedient, under the title of *Noticia Estadistica sobre Tejas*, Mexico, 1835, 16mo, p. 96, 4 tables, 2 ll. The total amount of the export and import trade of Texas he calculated at $1,400,000, as expressed in the following table:

	Imports.	Exports.	Totals.
Béjar	$40,000	$20,000	$60,000
Brazos	325,000	275,000	600,000
Nacogdoches	265,000	205,000	470,000
Approximate value of contraband trade with the interior through the ports of Brazoria, Matagorda, and Copano			270,000
			$1,400,000

Kennedy, ii. 81, classifies this report as 'brief and superficial:' but he does justice to it as affording 'the proudest testimonial to the fearless and persevering spirits who first rendered the golden globe of Texas tributary to the enjoyments of civilized man.' This author considered that Almonte's estimate of the population of Texas was underrated, and that the numerical strength of the Anglo-Texans was probably 30,000, exclusive of 2,000 negroes. *Id.*, 79–80.

While the colonists were thus endeavoring to procure a separation from Coahuila, the state legislature, anticipating the possibility of such a result, seems to have resolved to make what profit it could out of the waste lands of Texas. In order to realize quickly, it showed itself alike indifferent, to the value of the lands, the prices obtained for them, and to whom the purchasers might be. Numerous sales of immense tracts were made to New York and Coahuilan speculators at extremely low figures, the purchasers having no other view than to resell at a profit. Naturally the Texans regarded such squandering of their unoccupied domains—which, in fact, constituted the future capital of Texas—as an alienation that was simply robbery, and redolent of legislative corruption. But the climax of these fraudulent proceedings was the sale, in March 1835, of 400 square leagues for the insignificant sum of $30,000.[30] This appropriation of the waste lands of Texas was most distasteful to the supreme government, which had in contemplation the purchase of the frontier lands for the purpose of establishing thereon Mexican colonies, especially of a military character.[31] It therefore declared, by decree of April 25, 1835, the sale of those lands, except to the general government, to be null.[32]

When the result of Austin's mission became known, early in 1834, the desire for immediate separation from

[30] That is at the rate of little more than one cent and a half per acre. This tract of land was an appropriation that had been made by decree, March 26th of the previous year, to provide for a body of militia to prevent Indian depredations on the frontier. The militiamen were never called out, and the lands fraudulently sold. Consult *Edwards*, 232; *Yoakum*, i. 320–1; *Kennedy*, ii. 83–4; *Coah. y Tex. Leyes*, Dec. no. 272; *La Oposicion*, 1835, 242; *Cor. Atlant.*, May 9, 1835, 9.

[31] See decree of Feb. 4, 1834, in *Arrillaga Recop.*, 1834, 47–50.

[32] Copy of the decree, as well as that of the legislature of Coahuila and Texas, authorizing the sale, will be found in *Arrillaga, Recop.*, 1835, 145–6; *Dublan* and *Lozano, Leg. Mex.*, iii. 42–3; *Mercurio del pt. de Matamoros sup.*, in *Tex. Col. Doc., Pinart Col.*, Print, no. 60; *Pinart Col.*, Print, no. 389. Some writers regard these land frauds and land jobbing as the ground-work of all the troubles which befell the colonists, and were made the first excuse for revolt. See *Jay's Mex. War*, 17–18; *Quart. Rev.*, lxi. 333–5, 340–1; *Maillard's Hist. Tex.*, 77.

Coahuila was generally allayed, but the anarchical prostration into which Coahuila fell soon strengthened the separatists, while Austin's subsequent letters had a softening counter-effect. Thus there were among the Anglo-Texans two political parties, one of which advocated separation at all hazards, the other being favorably disposed to maintain the union under a federal system of government. When, however, the party strife in Coahuila left the state absolutely without a government, a number of influential Coahuilans met in council with the inhabitants of Béjar, October 13th. The overthrow of the federal constitution and the distracted state of Coahuila were discussed, and an address issued to the inhabitants of Texas, exhorting them to deliberate with those of Béjar as to the best means of rescuing the country from the chaos of confusion which overwhelmed it. The majority of the Texans were still ready to unite with the Coahuilan constitutionalists in the reconstruction of the state government, but the more eager separatists thought the time propitious to call upon the people to adopt an independent government. Accordingly, under the auspices of the political chief of Brazos, an address was issued, October 20th, urging the Texans to organize—not without a hint at total independence as the ultimate object—to avoid the "threatened labyrinth of anarchy, military misrule, and final ruin," and leave "her unnatural sister" to "quietly enjoy the blessings of anarchy." Let the separation caused by the "wilful and unlawful" acts of Coahuila be perpetual.

The grand central committee—which had been, it appears, established by the convention for the purpose of guarding the people of Texas from danger—replied to this inflammatory appeal by issuing a counter-address early in November. The answer sets forth that the publication of the political chief of Brazos was revolutionary in its character, by proposing "a separation in a manner contrary to the letter and spirit of the state and federal constitutions," and would draw

down upon Texas the wrath of both governments. Austin's letter, already quoted, had not been without effect, and his exhortations to peace are repeated with a recital of the measures that had been adopted by both the national and state legislatures for the especial benefit of Texas. As a further inducement to refrain from disturbing the present prosperity and contentment of the mass of the people, Austin's position in Mexico is brought forward, and his constituents are exhorted not to throw obstacles in the way of their agent's release from durance, or endanger his life by creating further difficulties. Referring to obnoxious laws, "when have the people of Texas," it is asked, "called upon the government for any law to their advantage, or for the repeal of any law by which they were aggrieved, but what their requests have been complied with?" Tardily, it is admitted, but the great distance from the capital, the state of war in the country, and the uncertain communication explain the causes of this delay.[33] This address counteracted the effect of the inflammatory appeals of the separatists, and the differences between Saltillo and Monclova having been adjusted soon after, the agitation subsided. Tranquillity followed, and for a brief period confidence seemed restored in Texas.

[33] Copies of these addresses in *Edwards*, 220–31.

CHAPTER VIII.

EVENTS LEADING TO THE REVOLT OF TEXAS.

1835.

COAHUILA AND TEXAS PROTESTS—THE STATE LEGISLATURE DISBANDED—GOVERNOR VIESCA ARRESTED—TENORIO EJECTED FROM ANÁHUAC—POLITICAL FENCING—ZAVALA—AGITATORS FROM THE UNITED STATES—PUBLIC MEETINGS—ARREST OF ZAVALA AND SETTLERS ORDERED—AFFAIR OF THE CORREO AND SAN FELIPE—COLUMBIA'S CALL FOR A GENERAL CONSULTATION—AUSTIN'S RETURN—HIS SPEECH AT BRAZORIA—PREPARATIONS FOR WAR—GENERAL COS ARRIVES AT BÉJAR—A DISPUTED CANNON—THE AFFAIR AT GONZALEZ—WAR-LIKE ENTHUSIASM—A PERMANENT COUNCIL ESTABLISHED—AUSTIN TAKES THE FIELD—CAPTURE OF GOLIAD—UNITED STATES SYMPATHY—LAND FRAUDS—THE CONSULTATION ASSEMBLES—ITS LABORS—ORGANIZATION OF A PROVISIONAL GOVERNMENT.

WHEN it became evident that the party now in power intended to establish a central form of government, attempts at opposition were made by the federalists in several of the states, but the centralists triumphed on each occasion. Coahuila and Texas and Zacatecas alone resolved to adhere to the constitution of 1824. In April 1835, the legislature of the former state addressed an energetic protest to the general congress against the course that was being pursued by it. Citing the 47th, 48th, 49th, and 50th articles of the federal constitution, which clearly define the powers of the general congress,[1] the state "protests, in the most solemn manner, that, having been received into the confederation by virtue of the fundamental compact, and on the principles therein established, it does not, nor ever will, acknowledge the acts emanating

[1] *Mex. Col. Constitut.*, i. 48–53.

from the general congress which are not in strict conformity with the express tenor of the above-cited articles; nor will it admit other reforms of the constitution than those made in the manner therein prescribed; on the contrary, it will view as an attempt against its sovereignty every measure in opposition to these legal dispositions."[2]

Meanwhile, Zacatecas had been declared to be in a state of rebellion. Her attitude was sufficiently defiant. On March 31st a decree was passed by the federal congress, ordering the states to reduce their militia to the ratio of one militiaman to each 500 inhabitants and disband the remainder. The national government would take possession of the surplus arms, paying the owners indemnity for them.[3] Such a law carried into effect would place the states entirely at the mercy of the government. Zacatecas flatly refused to obey, and immediately flew to arms. It was necessary to chastise her, and in April Santa Anna, at the head of between 3,000 and 4,000 men, marched against the rebellious state. On May 10th a sanguinary battle was fought near the state capital, and the Zacatecans completely crushed.

At this time General Martin Perfecto de Cos was commandant general of the eastern internal provinces, and received orders to take action about the late fraudulent land sales. Coahuila was again a house divided against itself. Saltillo, in February or early in March, had resumed the old quarrel with Monclova and revolted, petitioning the general government to declare null elections which had not been conducted in conformity with the plan of Cuernavaca.[4] The decree of March 14th authorizing the sale of the lands affording a pretext, the Saltillo deputies retired from the legislature, protesting against the passage of it. Governor Cantú called out the militia, and pre-

[2] *Kennedy, Tex.*, ii. 85–7; *Foote, Tex.*, ii. 57.

[3] Copy of decree in *Dublan* and *Lozano, Leg. Mex.*, iii. 38.

[4] *Cor. Atlant.*, June 6, 1835, 42. It would appear from this that the elections ordered by Santa Anna had not been legally conducted.

pared to enforce obedience. Cos, being appealed to, supported Saltillo, and declaring that city provisionally the capital, ordered a company of presidial troops stationed at Saltillo to enforce his decision and disband the militia at Monclova. When the legislature heard of this, it issued a decree, April 7th, authorizing the governor to oppose the entry of the presidials into the city. Matters were assuming a serious aspect, but on the 14th Viesca entered office as governor, and recognizing the gravity of the situation—which now involved a contest with federal troops—he induced the legislature to revoke the decree, and disbanding the militia, allowed the company from Saltillo to enter Monclova.[5]

The action of the legislature had roused the anger of General Cos, and he issued an address denouncing it for alienating the public lands, and refusing quarters to government troops; he regarded the maintaining a permanent local militia as an indication of a meditated insurrection, and threatened to put down by force the 'revolutionists,' as he called them, if they did not speedily reform their 'criminal acts.'[6] Viesca's action precluded the necessity of carrying his threat into execution. The legislature, after decreeing that the seat of government might be changed to such place as the governor might select, adjourned April 21st, but not before it had framed the above-mentioned protest. "Thus closed forever," says Yoakum, "on the 21st of April, 1835, the legislature of Coahuila and Texas."[7]

Viesca, disregarding the threats of General Cos, with the object of reducing Saltillo to obedience, again called out the militia, but was immediately ordered in peremptory terms not only to disband them, but to disarm them. He decided to move the seat of government to Béjar, and instead of obeying orders,

[5] *Filisola, Mem. Hist. Guer. Tej.*, ii. 111–13.
[6] *Kennedy*, ii. 89; *Tex. Col. Doc., Pinart Col.*, Print, no. 64.
[7] *Hist. Mex.*, i. 335–6, this series.

left Monclova May 25th, with the archives, escorted by 150 militiamen and about twenty Anglo-Texans. Having proceeded as far as the hacienda de Hermanas, he was alarmed at hearing that orders had been sent to the military commander at the presidio of Rio Grande to oppose his crossing the river; and thoroughly disheartened, he returned to Monclova, disbanded the militia, and decided to await events. But his fears got the better of him, and in company with Colonel Milam, Doctor John Cameron, and some officers of the state government, he attempted a secret retreat to Texas. The party was captured in a mountain pass by the forces under Cos, and sent prisoners to Monterey. Here Milam escaped. Orders having arrived to transfer the captives to the dungeons of San Juan de Ulúa, they were fortunate enough to effect their escape on their transit to Saltillo, and eventually reached Texas. The state authorities were deposed by the general government, and all the decrees of the late session annulled. Those members of the legislature who remained in Coahuila were arrested and banished.[8] José Miguel Falcon was appointed governor, but was removed August 8th, and succeeded by Rafael Eca y Muzquiz.[9]

The questions which the Texans had to decide, now that the legislature had been deposed, was whether to submit to Santa Anna and the rule of a governor appointed by him, or establish a government of their own. Opinions on the subject were divided, and at first the peace party dominated. In different municipalities committees of vigilance and safety were established, and meetings held to discuss the position of affairs. But these steps were only of a preliminary character. In June an event occurred which complicated matters, and by affording

[8] *Filisolo, ut sup.*, ii. 115–17; *Kennedy*, ii. 89, 90; *Yoakum*, i. 336; *Roa Bárcena, Recuerdos*, 12; *Tornel, Tej. y Estad. Unid.*, 55; *Edwards*, 232–3.
[9] *Texas, Col. Doc., Pinart Col.*, MS., no. 43.

the Mexican government just ground for taking decided measures, hastened the approaching crisis.

Captain Tenorio with twenty Mexican soldiers had been stationed for some time at Anáhuac to guard the port against smuggling, and afford protection to the collectors of the customs. He had often been annoyed and harassed by the opposition offered by the merchants of that place to the payment of the high duties upon imports, and riotous demonstrations had lately occurred. To such an extent had these disturbances arrived, that on June 1st the ayuntamiento of Liberty issued an order enjoining observance of the peace, and calling upon all officers, civil and military, to aid in sustaining the revenue officials at Anáhuac and Galveston. But this order had no effect. Shortly afterward William B. Travis and about fifty armed Texans attacked and disarmed Tenorio and his men, who being driven from the town retired to San Felipe. This high-handed proceeding was condemned by the municipality of Liberty and the central committee.[10]

Cos meantime had addressed from Matamoros a conciliatory circular, dated June 12th, in which he maintained that the government in its views with respect to Texas was guided by justice and paternal regard; but at the same time a courier was despatched to the commandant at Anáhuac, informing him that a strong force would shortly be sent to Texas. The despatch was intercepted,[11] and its contents excited public feeling to a high degree.

On June 22d a meeting of the war party was held at San Felipe. The news of Viesca's capture had lately arrived, and it was proposed to effect his rescue and expel the Mexicans from Béjar. This bold prop-

[10] *Edwards' Hist. Tex.*, 235–8, 240; *Tex. Col. Doc., Pinart Col.*, nos 15, 21, 28, and 42, MS. Edwards, page 238, states that Tenorio and his men were ordered 'to be seen in San Felipe as soon as Goi would let them.' They were well treated at San Felipe and assisted on their way to Béjar, their arms being restored to them. *Yoakum*, 337, 341.

[11] *Tex. Col. Doc., Pinart Col.*, nos 37, 38, 44, and 62, MS.: *Edwards*, 240; *Filisola, Mem. Hist. Guerra Tej.*, ii. 127.

osition not meeting with the favor of the peace party, another, equally audacious, was made. Ramon Músquiz, the ex-vice-governor, was at Béjar, and expressed himself ready to act as governor if the colonists would sustain him. It was proposed to take possession of that town and install Músquiz, who was to appoint land commissioners to extend titles to the settlers. Several municipalities supported these views, while others denounced the proceedings of the meeting as tending to plunge the people into a hopeless civil war.[12] When this revolutionary step became known to General Cos, he issued a proclamation, July 5th, declaring that the inevitable consequences of the war, which would result from any attempt to disturb the public peace in favor of the state authorities lately deposed, would be visited upon the persons and property of the disturbers of tranquillity.[13] About the same time, July 15th, an address of a soothing tenor appeared from Colonel Ugartechea, then in command at Béjar with 500 men.[14] Ugartechea possessed many good qualities, was not unpopular among the Anglo-Texans, and would have averted the coming storm. Referring to false information which had been spread, to the effect that it was the intention of the government to send troops to dispossess the colonists of their lands, he states that the object of the authors of the reports was no other than "to prosper by means of a revolution;" and he assures the settlers that "they have nothing to fear from the introduction of troops; as this measure would have no other object than that of placing them as detachments at the ports, to prevent the smuggling trade which is carried on with impunity by adventurers, and likewise to prevent the incursions of the Indians."[15]

[12] *Yoakum*, i. 339–40; *Tex. Col. Doc.*, nos 18, 31, MS., and no. 47, print.

[13] *Id.*, no. 17, MS.; *Edwards*, 245.

[14] He had been sent to Béjar with this force by Cos, ostensibly to collect the revenue, but Thrall, page 200, is in error in stating that he arrived in July. See *Yoakum*, 338.

[15] Proclamation in *Edwards*, 246–7.

Nor can it be denied that any means were omitted by the war party to fan the flame of rebellion. The majority of the settlers were still peaceably inclined, and would have remained so but for the excitement aroused by inflammatory addresses and exaggerated representations, hard to controvert, of the dire enmity of the government. The finger of warning was pointed to the spectre of despotism and oppression, not only by their own countrymen, but by prominent Mexicans. Many of the fugitive authorities from Coahuila were among them; Lorenzo de Zavala, late governor of the state of Mexico, had fled from the tyranny of Santa Anna and sought an asylum in Texas;[16] and Viesca, just before his fall, had addressed the Texans in such words as these: "Citizens of Texas, arouse yourselves, or sleep forever! Your dearest interests, your liberty, your property—nay, your very existence—depend upon the fickle will of your direst enemies. Your destruction is resolved upon, and nothing but that firmness and energy peculiar to true republicans can save you."[17] The war party was not slow to take advantage of such language and the impression it made. Agitators preached about liberty and patriotism, oppression and ruin, spreading alarm with one breath, and rousing the spirit of resistance with the next. Now, these agitators represented outside interests,

[16] Zavala arrived in Texas early in July. He was born in Merida, Yucatan, 1781, where he was educated and practised as a physician till 1820, when he was elected deputy to the Spanish cortes. On his return he was first made deputy, and then senator, in the Mexican congress. In March 1827 he was governor of the state of Mexico, which office he held till the revolution of Jalapa in 1830, which forced him to leave the country. In 1833 he was again elected to congress, and also governor of the state of Mexico, the house passing a unanimous resolution permitting him to hold both positions. Zavala was appointed minister to France in the following year, but resigned his position as soon as he perceived the direction toward centralism which the party in power was taking. He was too liberal a republican and too honest in his principles to take part in the overthrow of the federal constitution. He served his country faithfully, but on his retirement to Texas he was stigmatized as a traitor and vagabond. Zavala was the author of two works, *Ensayo Historico de las Revoluciones de Mexico*, and *Viage á los Estados Unidos*, mention of which has been made in another volume—*Hist. Mex.*, v. 88, this series. Prefixed to the latter work will be found his biography, written by Justo Sierra of Merida. Zavala died at Lynchburg, Texas, Nov. 15, 1836.

[17] *Edwards*, 234.

those of land speculators in the north of the United States, and those of the slave-holders in the south;[18] and when it is borne in mind how tenaciously both classes pursued their object, and what powerful allies they had in their work of wresting Texas from Mexico—the antipathy of race, the contempt of the Anglo-American for the Mexican, and the jarring relations between the two races in the social, civic, and industrial phases of life—it is not to be wondered that the firebrands thrown broadcast by their agents lighted the blaze of rebellion. And so it was. Before long all the colonists deeply compromised themselves; so far, indeed, that the only alternative was war or an abject submission to an offended power. The liberty-loving Anglo-Texans were not likely to choose the latter.

The war party naturally expected that any insubordinate act would be regarded by the government in the light of a general expression of feeling; but both the peace party and the Mexican commanders recognized the fact that if a revolt occurred it would be more the result of operations directed from the United States than actual inclination on the part of the mass of the colonists.[19] Yet the loss of Texas,

[18] The reader is referred to a pamphlet of 32 pages, entitled, *The Origin and True Causes of the Texas Insurrection, Commenced in the Year 1835*, republished in Phil. in 1836 from the Phil. *National Gazette*. The author, who writes under the nom de plume of *Columbus*, states that the easy terms on which lands were obtained in Texas, and the liberal exemption from duties granted to the colonists, were abused and made avail of as a means of smuggling. Many foreigners took up lands exclusively for the purpose of supplying the natives with contraband goods. When the time approached for those who had taken up large grants to fulfil the condition of colonizing them or giving them up, great efforts were made to throw any kind of population into the districts. The establishment of an independent government for Texas would be an effectual way of legalizing all grants, and strenuous efforts were made to obtain it. When this failed, the colonists, feeling themselves too weak to compete with the power of the republic, declared for the constitution of 1824, in the expectation that Coahuila and the contiguous states would unite with them. The writer goes on at some length to show that a number of the grievances set forth in the Texan declaration of independence did not exist, but his main object is to prove that the revolt was not so much the deed of the actual settlers as of the land speculators and slave-holders in the U. S.

[19] Gen. Cos, in a letter to the gefe político of the department of Nacogdoches, July 12th, attributes the disturbances in Texas to the acts of aliens

already foreshadowed, was feared by the Mexican government, and in its anxiety it took the very steps to alienate the peace party and hasten the crisis.

During the month of July the agitation increased. The inhabitants could no longer doubt that Santa Anna's intention was to establish a military yoke in Texas, and numerous meetings were held, both of a conciliatory and contrary spirit. Committees of safety were organized in all the municipalities during this and the previous month, and these now applied themselves with ardor to the discharge of their duties. On July 17th representatives from the jurisdictions of Austin, Columbia, and Mina met in council at San Felipe to discuss the condition of affairs.[20] The inclination of this convention was pacific; and a conciliatory letter, denouncing the late outrage at Anáhuac, was addressed to Ugartechea; but at the same time the opinion was expressed that, if troops were sent into Texas in any great number, a union of all parties would be the consequence, and a fierce civil war follow. Very different were the meetings held on the 19th at Rio Navidad and Guadalupe Victoria, at which warlike resolutions were passed, and Santa Anna's arbitrary acts condemned.[21]

Thus at this time the balance was still somewhat equally poised; but the scale soon turned. When the Mexican authorities heard of Zavala's arrival in Texas an order was issued for his arrest.[22] But it was not the intention of the authorities to stop here: they

and political intrigants. *Tex. Col. Doc.*, MS., no. 36. See also the proclamation of Wylie Martin, the political chief of Brazos, counselling moderation and peace. *Id.*, no. 35, and *Arrillaga Recop.*, 1835, 574-6.

[20] The delegates from Columbia were John A. Wharton, James F. Perry, Stirling McNeil, James Knight, and Josiah H. Bell; from Austin: A. Somerville, John R. Jones, Wylie Martin, Jesse Bartlett, and C. B. Stewart; from Mina: D. C. Barrett. Wylie Martin was chosen president, and Stewart secretary. *Yoakum*, i. 340.

[21] *Tex. Col. Doc.*, nos 10 and 17. These resolutions were sent to the political chief of Brazos.

[22] Cap. Tenorio presented it July 24th to Wylie Martin, political chief of Brazos, who refused to comply with it, on the ground that having received no order from the government, his civil capacity did not admit of his doing so. *Yoakum*, i. 344.

wanted also to lay their hands on the ringleaders of the hostile party, and on those who had taken a leading part in the affair at Anáhuac. On July 31st Ugartechea issued a circular order to the alcaldes of the municipalities to make every effort to secure the persons of Johnson, Williamson, Travis, Williams, and Baker; at the same time he threatened to send a sufficient force to effect their capture if those officers failed to execute the order. Yet fail they did; and a report being spread of the departure of the prescribed persons for the United States, the matter rested. When this demand for the arrest of prominent colonists became known, a far more bitter feeling was developed in the peace party, and the war party was strongly reënforced. Events were occurring at Anáhuac, too, which aggravated the spirit of war.

When Cos became aware of Tenorio's ejection from that port, he sent thither in July the schooner *Correo*, Captain Thompson, to protect the revenues. Thompson was somewhat of that buccaneering stamp for which Galveston Bay had previously been famous, and his main object was to make a fortune.[23] Accordingly, he proceeded in a high-handed manner, and in violation of orders. He bullied the citizens and traders at Anáhuac, threatened to burn the town, and in August captured the American brig *Tremont*, engaged in the Texan trade. Such action intensely exasperated the settlers. He now kept a sharp look-out for the *San Felipe*,[24] Captain Hurd, expected at Brazoria from New Orleans. On September 1st Hurd arrived off the mouth of the river Brazos, and the *Correo* at eight o'clock in the evening came up, and without warning

[23] He was an Englishman by birth, and of unprepossessing appearance. Washington Stiles, in the trial of Thompson at New Orleans for piracy, swore that Thompson said that if he could capture two American vessels, the *Tremont* and the *San Felipe*, his fortune would be made, and he would stop. *Winthrop, Report of the Trial of Thomas M. Thompson*, 3, 16. Stiles was one of the crew of the *Tremont*.

[24] Yoakum, i. 356, states that this vessel was purchased and armed at New Orleans expressly to capture the *Correo*—a questionable assertion.

fired into the *San Felipe*. An engagement followed, which lasted for three quarters of an hour, when Thompson drew off. In the morning the *San Felipe*, taken in tow by a small steamboat, the *Laura*, went in pursuit of the *Correo*, which was almost becalmed about six miles off. The Mexican captain surrendered without further fighting. The vessel was sent to New Orleans, where Thompson was tried for piracy.[35]

At the convention held at San Felipe, July 17th, Wharton had proposed to call a general council of the people of Texas; but the motion had been voted down, inasmuch as such a step could not fail to be regarded by the Mexican government in a rebellious light. On August 15th a great meeting was held at the town of Columbia, and a committee of fifteen persons appointed to prepare an address to all the municipalities of Texas, urging them to coöperate in the call for a consultation of all Texas. The address was drawn up and sent to every jurisdiction. It requested that each one would elect five delegates, and that the consultation should convene October 15th at the town of Washington, situated on the Brazos River some miles above San Felipe. But stirring events occurred before that date.

Early in September Austin, so long absent from the colonies, returned to find them, as he describes it, "all disorganized, all in anarchy, and threatened with immediate hostilities."[36] He had been released through the intervention of Santa Anna,[37] who, after his vic-

[35] This account of the affair between the *San Felipe* and the *Correo* is mainly derived from *Report of the Trial of Thomas M. Thompson, for a Piratical Attack upon the American Schooner San Felipe*. By John Winthrop, A. M., counseller at law. N. Orleans, 1835. 8vo, pp. 44. The jury could not agree, and Thompson was remanded to prison, but finally released. He had been in the Mexican service some years. Edwards, pages 248-9, states that Thompson was sent to N. O. as a pirate, because he could show no document to support the official character he had assumed. He certainly was unable to produce his commission at the trial, though he was sustained by his government.

[36] See his speech in *Foote's Tex.*, ii. 60.

[37] After being liberated from prison under bonds, amnesty was granted him, and he was allowed to return to Texas through the friendship of Santa Anna.

tory over the Zacatecanos, had returned to Mexico, and who doubtless believed that Austin would be instrumental in restoring order in Texas. On September 8th he was entertained at a public dinner given in his honor at Brazoria, where a great concourse of settlers had congregated to greet him. On this occasion he delivered a speech to a large assembly,[28] explaining his conduct while in Mexico, and discussing the position of Texas. He recognized the critical state of affairs, and the almost inevitable result. While informing his hearers that the federal constitution would be overthrown and a central government established, he deemed it his duty to relate the friendly messages of Santa Anna, his wishes for the prosperity of Texas, and his intention to use his influence to give to its people a special organization suited to their education, habits, and situation. Austin had advised the president not to send troops to Texas, expressing his decided opinion that war would be the inevitable consequence, and concluded his speech with these words: "The crisis is such as to bring it home to the judgment of every man that something must be done, and that without delay. The question will perhaps be asked, What are we to do? I have already indicated my opinion. Let all personalities, or divisions, or excitements, or passion, or violence, be banished from among us. Let there be a general consultation of the people of Texas as speedily as possible, to be convened of the best, and most calm, and intelligent, and firm men in the country, and let them decide what representation ought to be made to the general government, and what ought to be done in the future." He then gave this toast: "The constitutional rights and the security and peace of Texas

Tornel, Tej. y Estad. Unid., 53. Filisola, *ut sup.*, ii. 140–1, states that Austin embarked at Vera Cruz, proceeded to New Orleans, and there provided himself with arms and munitions of war, with which he returned to Texas in September.

[28] Foote says, ii. 60, more than a thousand Anglo-Americans listened to him for nearly an hour with unbroken delight.

—they ought to be maintained: and, jeopardized as they now are, they demand a general consultation of the people."[29] It is evident that Austin regarded the preservation of peace as hardly possible, and anxiously though he hoped for it, and deeply distressed though he was at the critical situation of his colony, he would not see the settlers' rights invaded or their future welfare imperilled without a struggle. The effect of his discourse was beneficial. The high opinion in which he was held caused his views to be generally adopted, and henceforth more harmony of spirit and unity of purpose prevailed among the colonists.

Indeed, at this time war was no longer doubtful. In the latter part of August a further demand had been made for the surrender of Zavala and the proscribed settlers,[30] the list of the latter being greatly enlarged,[31] and positive information had been received that Cos, with a large reëforcement, was on his march to Béjar, with the intention of breaking up the foreign settlements in Texas. Preparations for the impending struggle were at once commenced. Austin, who had been appointed chairman of the committee of safety of the jurisdiction which bore his name, issued a circular,[32] September 19th, in which that committee recommended that the people should insist on their rights under the federal constitution of 1824, and that every district should send members to the general consultation, with full powers to do whatever might be necessary for the good of the country, organize its

[29] See copy of speech in *Foote*, ii. 60–65, and in *Kennedy*, ii. 97–102.

[30] Letter of Ugartechea to Edward Gritton, dated August 17th, in *Tex. Col. Doc.*, no. 14.

[31] Yoakum supplies a copy in Spanish of Ugartechea's list. The names appearing in it are Johnson, Williamson, Travis, Williams, Baker, John H. Moore, J. McCarvajal, and Juan Zambrano, besides those who opened the official correspondence, the names of whom are not given. *Hist. Tex.*, i. 360. The list bears the date of Sept. 3, 1835.

[32] At San Felipe there was a printing-press which greatly facilitated the rapid and extensive circulation of addresses to the colonists. The *Texas Telegraph*, the first permanent newspaper in Texas, and devoted to the revolutionary cause, as it was considered, began to be published weekly at San Felipe: the editors were Gail Borden and Mosely Baker. *Foote*, ii. 66–7: *Thrall*, 352. Edwards states that the public press was in Brazoria, the only one then in Texas. *Hist. Tex.*, 249. Baker was one of the proscribed.

militia, and raise volunteer companies. The committee concluded by stating that it was their duty to say that conciliatory measures with Cos and the military at Béjar were hopeless. "War is our only resource. There is no other remedy. We must defend our rights, ourselves, and our country by force of arms."

The country was now all astir; committees of safety were active; volunteers hastened to enroll themselves; and a marked enthusiasm displayed itself. The intention was to oppose the entrance of Cos into Texas; but a diversion occurred which left his movements uninterrupted; and having landed at Matagorda with 500 men, he proceeded to La Bahía, or Goliad, where he arrived October 2d, and continuing his march on the 5th, reached Béjar on the 9th.[33]

Cos was allowed free passage to Béjar, owing to a demand made by Ugartechea for a cannon which had been given four years before to the town of Gonzalez, on the east bank of the Guadalupe, for the purpose of defence against Indians. The alcalde refused to comply, and the inhabitants, satisfied that the demand had been made only to get a pretext to attack the place and plunder the district, made application to the committee of safety at Mina for assistance. This was not only immediately responded to, but the communication of the people of Gonzalez was also sent to the committee at San Felipe.[34]

As soon as Ugartechea received the refusal to deliver up the cannon, he despatched Lieutenant Francisco Castañeda, with about 100[35] of the presidial troops, to take possession of it. Having arrived on the west bank of the Guadalupe Castañeda, finding that the ferry-boat and every means of crossing had been removed to the other side, encamped about half

[33] *Filisola, ut sup.*, ii. 144–5, 151, 156.

[34] Consult Austin's letter of Sept. 29th, in *Foote*, ii. 69–70.

[35] Filisola, ii. 145, says 80. Anglo-Texan accounts exaggerate the number of the Mexicans, Macomb placing it at 200. *Foote*, ii. 98. Kennedy, ii. 107, gives the same number. Yoakum is more impartial, and states that the Mexican force was 100 cavalry. i. 361. Thrall, p. 207, says 'with about 150 men.'

a mile from the ferry. This was on September 29th. Meantime volunteers from the Colorado and Brazos rivers were hastening to the point of danger, and by October 1st numbered 168 men, 50 of whom were mounted. They now decided to attack the enemy, who had moved his camp about six miles away; and having organized, John H. Moore being elected colonel, and J. W. E. Wallace lieutenant-colonel, crossed the Guadalupe that evening, taking with them the disputed piece, a brass six-pounder. Having formed line, they silently commenced their march about eleven o'clock, with the intention of attacking the enemy next day.

Day broke with a dense fog, under cover of which the Texans advanced to within 350 yards of the enemy. The Texan scouts, having approached, delivered their fire and fell back, pursued by a small body of Mexicans. Fire was now opened with the six-pounder, whereupon Castañeda sounded a parley. A conference took place, but no adjustment was arrived at. The Texans would not deliver up the piece, nor would Casteñeda surrender. He was evidently procrastinating in the expectation of reënforcements. When the leaders retired to their respective lines, the Texans fired their gun, which was loaded with grape, and charged; upon which the Mexicans ignominiously fled, and hurried at full speed to Béjar, the Texans returning to Gonzalez.[36]

In this trivial engagement the Mexicans lost a few men, while the Texans had not a single man killed; but insignificant though it was in the matter of bloodshed, it was to the Anglo-Texans what the affair at Lexington was to the American colonists.

[36] Consult the account given by 'an old soldier,' who was personally present in *Tex. Alm.*, 1861, 60–2; Macomb's account in *Foote*, ii. 98–102; *Kennedy*, ii. 105–9; *Yoakum*, i. 361–4; *Filisola*, ii. 145–6. This last author stigmatizes Castañeda's conduct. He says, 'regresó a Béjar tray endo consigo una mancha que labar, una nueva ofensa á las armas nacionales que vengar, y un crimen que perseguir y escarmentar. . . en vez de haber vuelto con el cañon.' Linn states that Castañeda had only 25 men, and that not a man was killed on either side.' *Reminis. Tex.*, 107–8.

The die was cast; there was no longer room for hesitation; all must now be up and doing, for all would be held to account. To the farthest settlements news of the affair at Gonzalez was speedily borne, awakening a warlike enthusiasm. The ayuntamiento of Nacogdoches had already, September 5th, passed a resolution to obey no orders but those emanating from the legitimate authorities of the state; and on the 21st of the same month a great public meeting had been held on the road between the Neches and Trinity rivers, at which changes in the Mexican constitution had been vehemently denounced. Thus the people of that department were not disposed to lag behind in the coming contest. On October 10th the committee of safety of the town of Nacogdoches called on the ayuntamiento to adopt at once an active course,[37] and private individuals displayed their earnestness in the cause by pecuniary contributions.[38] At San Augustine a spirited meeting was held October 5th, and a company of volunteers raised then and there to march to the south-west. Sam Houston, Thomas Jefferson Rusk,[39] and the proscribed Johnson were present, and hastened without loss of time to the scene of action. Zavala also left his retreat on the San Jacinto[40] and

[37] *Tex. Col. Doc.*, MS., nos 24, 39, 41.

[38] A. McLaughlin & Bros gave the committee of safety $500, Oct. 11th. *Id.*, MS., no. 26.

[39] Rusk was born Dec. 5, 1803, in South Carolina, his father being an emigrant from Ireland, and following the occupation of a stone-mason. Through the interest of John C. Calhoun, on whose land the family lived, young Rusk was placed in the office of William Grisham, clerk for Pendleton district, where he made himself familiar with the law, to the practice of which he was soon admitted. He afterward removed to Clarksville, Georgia, where he married the daughter of Gen. Cleveland. Here he obtained a lucrative practice, but unfortunately engaging in mining speculations, was swindled out of nearly all his earnings. The agents of the company in whose stock he had invested absconded, and he pursued some of them to Texas. He overtook them west of the Sabine, only to find that they had squandered and gambled away his money. This was in 1834. Rusk proceeded to Nacogdoches, where he located himself, being determined to make Texas his home. At the meeting mentioned in the text he delivered an eloquent address to the people, appealing to their patriotism, and volunteered to be one of a company to march at once to the seat of war. *Tex. Alm.*, 1858, 105; *Thrall's Hist. Tex.*, 607.

[40] Zavala possessed a grant of land in Texas—consult Austin's map—and had taken up his residence on the San Jacinto River.

repaired to San Felipe, where he was warmly received by Austin.[41]

In a circular addressed by Austin, October 4th, to the committees of safety of Nacogdoches and San Augustine, it is boldly proclaimed that war was declared against military despotism, and that one common purpose animated every one in the department of Brazos; namely, to take Béjar and drive the Mexican troops from Texas. On the 8th a general appeal was issued by him and distributed broadcast through the land, calling for volunteers, and appointing Gonzalez as the present headquarters of the army of the people.[42] Nor were these appeals slowly responded to. The people were aroused, and in a few days such numbers of volunteers flocked to Gonzalez that Ugartechea, who after Castañeda's disgrace had prepared to march against the rebels with 500 men of all arms, desisted from his purpose. There were more men, indeed, than arms. A leader was required for the assembled forces, and the wishes of all pointed to Austin. In order, therefore, to relieve him from his position at San Felipe, a permanent council, composed of one member from each committee, was appointed, R. R. Royall being elected president. Austin now proceeded to Gonzalez, where he was made commander-in-chief. On October 13th the army, about 350 strong,[43] commenced its march, and advancing to the San Antonio River, took up a temporary position about eight miles below the town. Here Austin waited for reënforcements.

While these movements were being made, a bold

[41] Austin's circular of Oct. 4, 1835, in *Foote*, ii. 84.

[42] *Id.*, ii. 84-90; *Tex. Col. Doc.*, Print, no. 59.

[43] The intention had been to march again at Bejar with 500 men, but a detachment under captains Benjamin Fort Smith and Allen had been sent to protect Victoria on the Guadalupe, where a body of Mexicans had been committing acts of violence. *Foote*, ii. 108-11. Austin wrote to the committee of safety at San Felipe, Oct. 11th, urging it to press on volunteers, begging them 'to hurry on by forced marches, and not to stay for cannon or for anything' *Id.*, ii. 119.

design to capture Goliad was successfully carried out by Captain George Collingsworth. With about forty planters from the neighborhood of Matagorda and the banks of the Caney, he had gone in pursuit of the Mexicans marauding at Victoria, and determined to attempt the capture of Goliad. The company arrived below the town at midnight on the 9th of October, and sent two or three of their number to reconnoitre the place. While these scouts were thus engaged Colonel Milam was discovered in a thicket by a party who had got separated from their comrades. The wayworn man, after his escape from prison at Monterey, had made his way alone through the country, riding night and day to reach Texas. He heartily volunteered to assist in the enterprise. When all were reunited, their number, including Milam and one or two others who had joined them, was forty-eight. Guided by settlers acquainted with the town, they attacked the quarters of Lieutenant-colonel Sandoval. The sentinel discharged his piece, and was instantly struck dead with a rifle-ball. The door was battered in with axes, and Sandoval taken prisoner. The garrison, summoned to surrender, laid down its arms after a slight resistance. One Mexican soldier was killed and three wounded. The Texans had one man slightly wounded. This was an important capture, $10,000, two pieces of artillery, and 300 stands of arms falling into the hands of the victors.[44]

Preliminary meetings of some of the members of the consultation had been held at San Felipe and Washington, and on October 16th thirty-two members assembled at the former place. As this number did not form a quorum, the consultation was adjourned till November 1st, and a letter having been received from Austin, inviting the members to assist personally in the capture of Béjar, a large portion of them repaired to the army. It was, however, necessary to

[44] *Id.*, ii. 112–18; *Kennedy*, ii. 117; *Yoakum*, i. 368–9

organize a government, as well as provide ways and means for carrying on the war; and after some deliberation they returned to San Felipe to take their places in the coming consultation.

There was no longer any want of unanimity among the colonists. Even the jurisdiction of liberty, opposed though it was to a rupture with Mexico,[15] and the last to cast peace aside, on the news of the fall of Goliad joined the revolution with a corresponding firmness, and sent assistance to the army. Everywhere the committees of safety were tireless in their exertions to send men and provisions to the front, and raise subscriptions. At Nacogdoches and San Augustine, the committees, aided by the central council, took measures to conciliate the civilized Indians, who were in no amiable mood on account of the neglect with which their claims had been treated. A deputation was sent to confer with them, and arrangements made that they should have a representative at the consultation. To keep the wild tribes in check, mounted rangers were sent to the confines of the districts which they occupied. Sam Houston was appointed to command the eastern volunteers. As receivers of contributions and public moneys, committees were appointed by the central council; J. L. Hood, Jacob Garrett, and Peter J. Menard composed that for the jurisdictions of the department of Nacogdoches, and R. R. Royall and Gail Borden that for other jurisdictions. Appeals, too, were made to the citizens of the United States, and not in vain. On October 7th a public meeting had already been held at Natchitoches, at which the warmest sympathy was expressed, and a resolution enthusiastically carried to support the people of Texas.[16] This friendly disposition was displayed elsewhere in the United States. In New Orleans two companies were quickly formed, the Grays,

[15] See the address of the committee of safety of Oct 24, 1835, in *Tex. Almo.*, 1868, 39–40. The document is signed by Edward Tanner, David G. Burnet, William Hardin, Jesse Devore, R. M. Spinks, and Henry W. Farby.

[16] *Tex. Col. Doc.*, MS., no. 34.

one of which left October 17th by way of Natchitoches, and the other on the 19th by the gulf route.

It was not until November 3d that the general consultation assembled. Hitherto the council, composed of one member from each committee, had acted and been recognized as a temporary kind of government. An important measure taken by this council was one touching the extension of land titles. Ugartechea had addressed, September 3d, an order to the political chief at Nacogdoches to suspend the functions of the land commissioner, so that no more titles should be granted till the receipt of instructions from the supreme government. The committee of safety, however, decided that Ugartechea had no control over the civil authorities, and his order was disregarded. Unfortunately, this action afforded opportunity for the perpetration of outrageous land frauds by the commissioner, and extensive tracts were alienated by titles in the names of fictitious persons and those who had left the country. The central council, to prevent further robberies of this nature, ordered all land-offices to be closed, and prohibited surveying.[47] The labors of this council, during its brief existence, were extremely arduous, but were rendered less irksome by the general harmony of feeling and the willing spirit of coöperation everywhere displayed. On October 3d the central system of government was established in Mexico by decree.[48]

When the consultation met at San Felipe on the day above mentioned, fifty-five members were present, whose names I give below.[49] Branch T. Archer hav-

[47] *Yoakum*, i. 359, 377.

[48] *Dublan* and *Lozano, Leg. Mex.*, iii. 75–8.

[49] According to the convocation, a meeting had taken place Nov. 1st, but sufficient members were not present to form a quorum. The names of the delegates are the following: For the municipality of Austin: Wylie Martin, R. Jones, Jesse Burnam, William Menifee. Nacogdoches: Sam Houston, James W. Robinson, William Whitaker, Daniel Parker, William N. Sigler. Washington: Philip Coe, E. Collard, Jesse Grimes, Asa Mitchell, Asa Hoxey. Harrisburg: Lorenzo de Zavala, C. C. Dyer, John W. Moore, M. W. Smith,

ing been duly elected president, and P. B. Dexter secretary, the former delivered an address, in which he sketched out the duties to be performed by the consultation and the measures which it would be advisable to adopt.[50] The first matter attended to was the preparation of a declaration, or bill of rights, setting forth the causes which had driven the Texans to take up arms. John A. Wharton was commissioned to draught the bill, and a committee of five—Harris, Barret, Martin, Barnell, and Wharton—was appointed to draw up and submit a plan of a provisional government. On November 7th Wharton laid his draught of the declaration before the consultation. It caused a lengthy discussion: a large number of the delegates were in favor of a declaration of independence, whereas the one submitted to them announced adherence to the constitution of 1824.[51] Policy, however, overruled; none doubted that independence would be the ultimate outcome, and the declaration was adopted.

The ordinance establishing the plan and powers of

David B. Macomb. Liberty: George M. Patrick, William P. Harris, Henry Millard, J. B. Woods, A. B. Hardin. Gonzalez: W. S. Fisher, J. D. Clements, Geo. W. Davis, James Hodges, William W. Arrington, Benjamin Fuqua. Tenehaw: Martin Parmer. Columbia: Henry Smith, John A. Wharton, Edwin Waller, John S. D. Byrom. San Augustine: A. Houston, William N. Sigler, A. E. C. Johnson, A. Horton, A. G. Kelleg. Mina: D. C. Barret, J. S. Lester, R. M. Williamson. Matagorda: B. B. Royall, Chas Wilson. Bevil: S. H. Everitt, John Bevil, Wyatt Hanks. Viesca: Saml T. Allen, A. G. Perry, J. G. W. Pierson, Alexander Thompson, Jas W. Parker. Jefferson: Claiborne West. *Journals of the Consultation*, 50.

[50] Copy of Archer's speech will be found in *Id.*, 6–9, and *Foote*, ii. 144–7.

[51] The declaration set forth that the federal constitution having been overthrown by Santa Anna, the social compact which existed between Texas and the other members of the Mexican confederacy was dissolved; that the Texans had taken up arms in defence of their rights and liberties, which were threatened; that they offered their assistance to such states as would take up arms against military despotism; that they did not acknowledge the right of the present Mexican authorities to govern in Texas, and would not cease to carry on war against them as long as their troops remained within its limits; that during the disorganization of the federal system they withdrew from the union, but would continue faithful to the Mexican government as long as the nation was governed by the constitution of 1824; Texas would be responsible for the expenses of the armies in the field, and was pledged for the payment of debts contracted by her agents; she would reward by donations of land volunteers who offered their services in the struggle, and would receive them as citizens. *Journals of the Consult.*, 18–19, 21–2. Copy of the declaration also in *Holley's Tex.*, 235–6, and *Kennedy*, ii. 488–9.

the provisional government was passed November 13th. It comprised twenty-one articles, and provided for the creation of a governor, lieutenant-governor, and general council, to be elected from the consultation—one member from each municipality. The governor and lieutenant-governor were appointed by the consultation. The former in conjunction with the council was authorized to contract loans not exceeding $1,000,000, hypothecating the public lands if necessary; to treat with the Indian tribes concerning their land claims, and secure their friendship; to establish a postal service, and exercise the functions of a high court of admiralty. They were invested with the power to create and fill the necessary offices of government, and organize the regular forces according to emergencies. A provisional judiciary was to be constituted in each jurisdiction; all land commissioners, empresarios, and surveyors were to be ordered to cease their operations during hostilities, and all grants and sales of lands in Texas fraudulently made by the state of Coahuila and Texas were declared null. All persons, widows and minors excepted, who should leave the country during the existing crisis would forfeit their lands. An army ordinance was also passed, providing for the creation of a regular army of 1,120 men, rank and file, to be governed by the rules, regulations, and discipline observed in the army of the United States during time of war, the commander-in-chief, with the rank of major-general, being appointed by the consultation.[52]

Henry Smith was appointed governor, and James W. Robinson lieutenant-governor. Sam Houston was elected commander-in-chief,[53] a commission of three persons, Austin, Branch T. Archer, and William H.

[52] *Journal, sut sup.*, 43–9. A full copy of these ordinances will be found in *Kennedy*, ii. 489–97.

[53] Austin had previously expressed his wish to resign the command, as his attention had never been directed to military matters, and had urged Houston to assume it. *Yoakum*, i. 371–2.

Wharton, was appointed to proceed to the United States and promote the interests of Texas in that country, and the general council elected. The members of this council, whose duties were to devise ways and means, and advise and assist the governor in the discharge of his functions, were: A. Houston, Daniel Parker, Jesse Grimes, A. G. Perry, Claiborne West, D. C. Barret, Charles Wilson, Henry Millard, Martin Parmer, J. A. Padilla, J. D. Clements, Wylie Martin, W. P. Harris, John A. Wharton, and W. Hanks.[54] On November 14th the consultation, having completed its labors, adjourned to meet on the 1st of March following. It never reassembled, however, as on that date a convention was held of delegates chosen at the general election of February 1836.

[54] *Journal of the Gen. Council*, 3.

CHAPTER IX.

SIEGE AND CAPTURE OF SAN ANTONIO DE BÉJAR.

1835.

BATTLE OF CONCEPCION—THE GRASS FIGHT—PROTRACTED SIEGE—DISSATISFACTION OF THE VOLUNTEERS—BURLESON SUCCEEDS AUSTIN—ORDERS AND COUNTER-ORDERS—MILAM'S CALL—DESCRIPTION OF SAN ANTONIO—THE FIRST ASSAULT—STEADY ADVANCE OF THE TEXANS—DEATH OF MILAM—HIS BIOGRAPHY—CONFUSION AT THE ÁLAMO—COS SURRENDERS—TERMS OF CAPITULATION—THE VOLUNTEERS DISBAND—AFFAIR AT LIPANTITLAN—THE TAMPICO TRAGEDY—DISCORD IN THE GOVERNMENT—FINANCIAL MATTERS—HOUSTON'S PROCLAMATION—GOVERNOR SMITH AND THE COUNCIL—GRANT'S SCHEME—DESCENT ON MATAMOROS MEDITATED—SMITH SUSPENDED—THE EFFECT OF DISCORD.

AUSTIN having reached the Salado creek, some skirmishing took place, in which the Texans were invariably victorious. On October 27th he sent forward Colonel James Bowie[1] and Captain James W. Fannin, with a detachment of ninety-two rank and file, to reconnoitre the old missions above Espada, and select a suitable position for the army. Having reached the mission of La Purísima Concepcion, about one mile and a half from San Antonio, Bowie en-

[1] James Bowie was a native of Georgia. His brother Rezin was the inventor of the knife which bears the family name. While Lafitte occupied Galveston, the three brothers, James, Rezin P., and John, engaged in buying African negroes of Lafitte's men, conducting them through the swamps of Louisiana for sale. They are said to have made $65,000 by this traffic. James Bowie was connected with Long's expedition in 1819. In October 1830 he became a naturalized citizen of Saltillo, and soon after married a daughter of Vice-governor Veramendi, of San Antonio de Béjar. Nov. 2d, 1831, he fought a remarkable battle with Indians on the San Sabá River, in which, with his brother Rezin, nine other Americans, and two negroes, he defeated 164 Tehuacanas and Caddos, the Indians losing nearly half their number, while the Anglo-Texans had only one man killed and three wounded. When hostilities broke out, he attached himself to the Texan cause. *Thrall*, 502–5.

camped in a bend of the river pointing southward, and when morning broke, found himself almost surrounded by about 400 Mexicans. Perceiving that there was no chance of escape, he withdrew his men into the river bottom, nearly 100 yards wide, and protected by a bluff from six to ten feet high, affording an excellent position for defence, since the men could fire from a natural covert without being much exposed. The position was further strengthened by a skirt of timber around the bend and below the bluff, to which retreat could be made if necessary. Bowie divided the command into two parties, which respectively occupied the upper and lower arms of the bend, Fannin being in charge of the latter. Before them stretched an open plain.

A heavy fog for some time prevented the opponents from seeing each other, but when it rose, the Mexicans advanced to within 200 yards of Fannin's right, and poured in a heavy fire, every volley being marked in the yet gloomy light by a blaze all along their line. It was ineffective, however; while the rifles of the Texans, more deliberately discharged, and with deadly aim, wrought havoc. In order to avoid striking each other, Bowie now wheeled his detachment round the bend and stationed himself on Fannin's left. Presently the Mexicans pushed forward a brass six-pounder to within about eighty yards, and opened with grape, at the same time sounding the charge. The attempt was attended with disaster. The fire of the Texans was more fatal than ever; each man after discharging his rifle dropped out of sight to reload while another took his place. Three times the piece was cleared of the gunners, and three times the charge repulsed. On the last occasion the Mexicans fled in disorder, leaving the cannon in the hands of the victorious Texans. It had only been fired five times. According to Colonel Bowie, the Mexicans lost nearly 100 men, of whom 67 were killed. The Texans had one killed and no one

wounded.[2] About an hour after the engagement the main body of the army came up, and the camp was established near the city.

The extraordinary success which attended this engagement, called the battle of Concepcion, induced a general desire in the Texan forces to assault the town at once; but Austin, anxious to avoid the loss of valuable lives, deemed the enterprise too hazardous, though his army now numbered over 1,000 men. Moreover, he was entirely without siege cannon, his artillery consisting of only five small field-pieces. He therefore held a council of war, at which it was decided that in view of the fortifications of San Antonio, it was too strong to storm without battering guns. At the same time Austin was doubtful of being able to keep the army together long enough to await the arrival of such aid.[3]

Cos meanwhile, little anxious to risk a general engagement, confined himself to strengthening his position, by barricading the streets, erecting batteries, and adopting other means of defence. Ugartechea, moreover, was despatched with 100 presidials to bring up from Laredo 400 or 500 convict soldiers.[4]

The operations of the besieging army were now very tedious to brave and eager volunteers ready to take desperate hazards, and many began to leave for home. On November 2d Austin broke camp, and passing by the garita,[5] took up a position on the east bank of the river, near its source, on the north side of the town, a constant patrol being kept up, which was very effective in cutting off supplies. A demand for the surrender of the place was made a few days later and promptly refused; whereupon the besiegers advanced nearer to the town and occupied an eminence

[2] Bowie's account in *Kennedy*, ii. 121–2, and *Foote*, ii. 121–5. Dewees, who frequently exaggerates, says: 'Over 104 of the Mexicans lay stretched in death on the bloody field.' *Letters*, 157.

[3] Austin to Capt. Dimit, Nov. 2d, in *Foote*, ii. 125; *Id.*, to committee at San Felipe (orig.), in *Tex. Col. Doc.*, no. 15; *Morphis, Hist. Tex.*, 108.

[4] *Filisola, ut sup.*, ii. 186.

[5] See plan elsewhere in this volume.

immediately above the old mill, which was situated about half a mile from the enemy's pickets. Skirmishes of slight importance occasionally took place, and attempts were made to draw the Mexicans from their fortifications; but Cos, though straightened for provisions, pertinaciously declined an engagement, and waited for his reënforcements. He had at this time about 800 men.

On November 25th Austin, having been informed of his appointment as commissioner to the United States, resigned his command and returned to San Felipe, where he arrived on the 29th. He was succeeded by Colonel Edward Burleson, who was elected without opposition to fill his place on the field.

On the following day a severe skirmish took place. It has been called the 'grass fight,' and again proved the superiority of the Texans in the field. The arrival of Ugartechea was now daily looked for, and it was expected that he would bring with him a large sum of money. Scouts were accordingly sent out to watch for his approach. On the 26th Cos despatched a body of 100 men on the old presidio road to cut grass for his famished horses. On their return with their pack-mules loaded they were discovered by the scout Deaf Smith,[6] who, supposing them to be Ugartechea's advance guard with the silver, reported them as such at headquarters. This news caused great excitement in camp. Bowie with 100 mounted men galloped off at once, and the rest of the army hastened to follow. About a mile from the town Bowie intercepted the foragers, who took up a position in a ravine. Bowie prepared to attack them, but his

[6] Erasmus Smith, known as Deaf Smith on account of his defective hearing, was a celebrated guide and scout. He was born in New York April 19, 1787, visited Texas in 1817, and became a permanent citizen in 1821. A few years later he married a Mexican woman of San Antonio, by whom he had several children. His coolness in danger was unsurpassed, and during the war he did eminent service on the Texan side. Smith was much given to solitude, was remarkable for his gravity, and seldom spoke except in monosyllabic answers to questions. He was severely wounded in the shoulder at the storming of San Antonio, presently to be narrated. He died at Richmond, Fort Bend, Nov. 30, 1837. *Thrall*, 620–1; *Yoakum*, i. 251–2.

movements having been observed from San Antonio, a strong force was sent out in aid of the grass-cutters, which compelled him to change his front. Almost simultaneously the main body of the Texans came up, and a running fight was maintained till the Mexicans reached the town. Their loss was about fifty killed and some wounded, while the Texans had only one wounded and one missing. The mule-packs which the enemy left behind, on examination, were found to be filled, not with silver as was hoped, but grass, whence the name given to the engagement.[7]

But these occasional conflicts were not sufficient to avert the impatience which the general inactivity provoked, and the dissatisfied volunteers kept returning to their homes. For more than a month they had been hanging around San Antonio, and its capture seemed no nearer accomplishment than at first. By the middle of November the besieging force was reduced to less than 600 men. Fortunately about this time the two companies of New Orleans Grays arrived, under the command respectively of Captain Robert C. Morris and Captain Breece; also a company from Mississippi, Captain Peacock, and one from eastern Texas, Captain English. Yet the army dwindled day by day, so that even with these reënforcements it barely numbered 800 men at the end of the month.

It is not to be wondered that the United States volunteers became disgusted, and affairs looked serious when 200 of them declared their determination to leave Béjar on the last day of November and march against Matamoros, where they expected to be joined by from 5,000 to 8,000 men from the United States. Their ultimate intention, they said, was to proceed into the interior of Mexico. A rumor that an attack

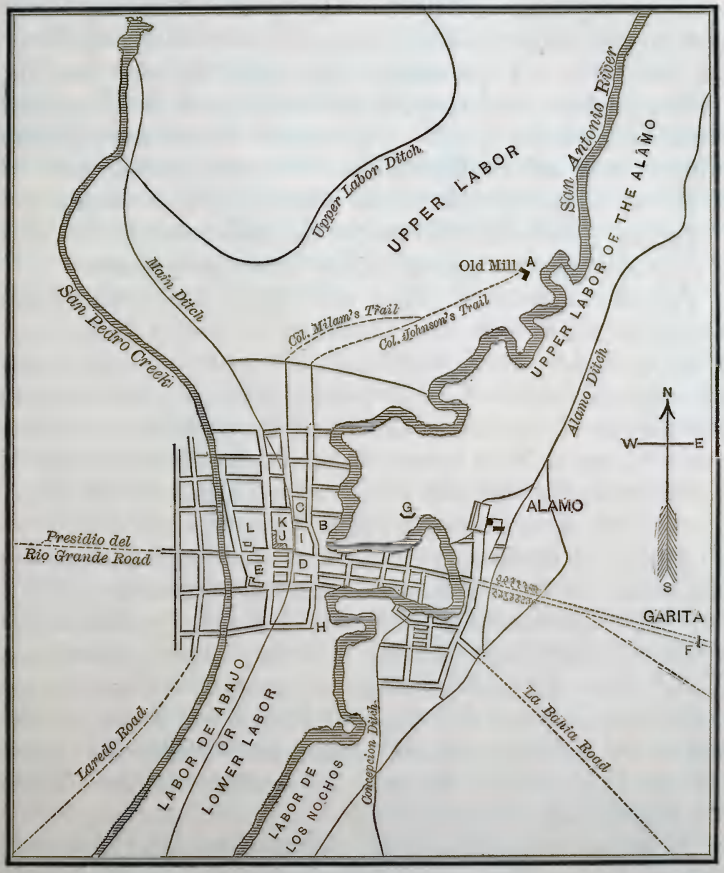
[7] *Id.*, ii. 17–18; *Tex. Alm.*, 1860, 37; Taylor's account, in *Baker's Tex.*, 92; *Thrall*, 216; *Swisher's Am. Sketch Book*, vi., no. v. 378. Mrs Holley, pp. 340–1, followed by Kennedy, ii. 133, gives a different account of this fight, confusing it with an affair which took place on the 8th, occasioned by the death of one House, who broke his neck by a fall from his horse. A party went out to bring in the body, and was attacked by a superior body of Mexican cavalry, which was driven off with some small loss.

was being planned prevented them, however, from carrying out their purpose.

On December 3d three Texans, Holmes, Smith, and Maverick, appeared in camp. They had been detained by Cos in San Antonio as suspected persons after the affair at Gonzalez, and having escaped, brought encouraging information relative to the garrison and defences of the town. It was decided to assault it just before daybreak on the following morning. All was now bustle and preparation; but during the night one of the scouts, Arnold by name, was missed, and it was supposed that he had gone over to the enemy and informed him of the meditated attack. After a serious deliberation in Burleson's headquarters he countermanded the order for assault. The volunteers were now furious and insubordinate; many companies refused to turn out at the morning parade, and when Burleson, later in the day, issued orders to raise the siege, it was feared by some that blood would be shed. At this juncture Arnold returned, and better still, a deserter, a lieutenant in the Mexican army, arriving in camp, stated that the garrison was in confusion, that the enemy had no knowledge of the intended attack, and that the strength of the place was greatly exaggerated. Enthusiasm was again aroused, and Colonel Milam, who after the capture of Goliad had followed the fortunes of the Texan army, enlisting in the ranks, urged Burleson to seize the opportunity and storm the place. Burleson assented, and authorized Milam to proceed with the enterprise. Stepping in front of the commander's tent, the intrepid old soldier, waving his hat, cried out, "Who will go with me into San Antonio?"[3] A ringing shout was the reply; volunteers for the assault fell promptly into line, and Milam was elected their leader on the spot. The men were ordered to rendezvous that night soon after dark at the old mill.

[3] The words as reported by Foote, ii. 165, were: 'Who will join old Ben Milam in storming the Alamo?' According to Yoakum, ii. 25, who doubtless quoted from the *State Gazette*, 1849, Sept. 1, s. 15, they were: 'Who will go with old Ben Milam into San Antonio?'

San Antonio de Béjar—called indiscriminately San Antonio and Béjar—is situated on the San Antonio River, the San Pedro Creek lying on its southern



San Antonio and Environs.

A. Old Mill.
B. House of Veramendi.
C. House of Garza.
D. Main Square, or Plaza de la Constitucion.
E. Military Plaza.
F. Powder-house, or Garita.
G. Redoubt.
H. Quinta.
I. Priest's House.
J. House of Antonio Navarro.
K. Zambrano Row.
L. Mexican Redoubt.

side. To the north-east, on the opposite side of the river, was the fortified mission of the Álamo. The ground is generally level in the neighborhood, some-

what more undulating on the west, and a number of irrigating ditches afforded some defence to the town, the principal buildings of which were of thick stone walls, and strong. The town proper is of oblong form, but on its eastern side it extends into a curious bend of the river. It contains two squares, one the old military plaza, and the other the plaza de la Constitucion, laid off in 1731. These are separated by the church and other buildings. On the north side of these squares runs the main street. The accompanying plan will enable the reader to understand the relative positions and operations of the combatants.

At the appointed time and place 300 volunteers appeared with two field-pieces, a twelve-pounder and a six-pounder, and provided with crow-bars to break through the walls of the houses. Burleson retained the remainder of the forces as a reserve, a portion of them under Colonel Neill being despatched at three o'clock in the morning across the river, with a piece of artillery, to create a diversion by a feigned attack on the Alamo. The plan of operations meantime was arranged by the storming party. Two divisions were formed, one under Milam, assisted by Colonel Nidland Franks of the artillery, and Major Morris[9] of the Grays, Maverick, Cook, and Arnold serving as guides. The second command was led by Colonel Frank W. Johnson, assisted by colonels James Grant and William J. Austin, and Adjutant Bristow. Deaf Smith and John W. Smith acted as guides.[10]

A little before dawn, on the morning of December 5th, the storming columns moved rapidly but silently forward, Milam directing his course to Acéquia street, and Johnson to that of Soledad, both of which led directly to the main plaza, where, at the entrance of

[9] Morris was raised to the rank of major on his arrival on the field.

[10] The 1st division consisted of portions of the companies of captains York, Patton, Llewellyn, Crane, English, and Landrum, with the two pieces of artillery and 15 artillerymen. The 2d division was drawn from the companies of Cook, Swisher, Edwards, Alley, Duncan, Peacock, Breese, and Placido Benavides. Johnson's report, *in Tex. Almo.*, 1861, 32.

these streets into it, breastworks had been erected and batteries planted. As they advance, Neill is heard battering at the Alamo. The Mexicans are taken by surprise, and without trouble Milam gains possession of Garza's house, and Johnson that of Veramendi, each about 100 yards from the square. A sentinel having fired his piece, the alarm is given, and a tremendous cannonade opened. But the assailants are already under cover, and it produces no effect more serious than preventing a communication between the two divisions. The twelve-pounder was, however, dismounted, and the smaller piece was of little or no service for want of a cover. But when the light came, the rifle did its usual deadly work, and during the day the enemy's guns within range were several times abandoned. On this day the Texans had one killed, and two colonels, one first lieutenant, and twelve privates wounded.

All through the night the volunteers, though a ceaseless fire was kept up against them, labored at strengthening their position, by opening trenches to secure a safe communication. Nor had the besieged been idle. At dawn the assailants discovered that the roofs of the houses in their front were occupied by sharp-shooters, who during the day kept up a brisk fire of small-arms. The 6th passed, however, with few casualties, only five men being wounded, while a detachment of Captain Crane's company, under Lieutenant William McDonald, gallantly took possession of a house in front and to the right of Garza's dwelling, thus extending the line toward the military plaza.

At daylight on the 7th the Mexicans opened a brisk fire of small-arms from a trench which they had made during the night on the east side of the river, and a heavy cannonade from a battery planted on the cross-street leading to the Alamo. But these new positions were of no avail; by eleven o'clock the fire from them was silenced. About mid-day anoth-

building, situated directly in front of the first division, was captured by the Texans. This feat was accomplished by Henry Carns, of York's company, who effected an entrance with a crow-bar, under a heavy fire. The company followed and held the position. Keeping well under cover, the casualties of the Texans were extremely few; but this day was marked by the fall of one whose memory will ever be gratefully cherished. Milam, while crossing from his own position to the Veramendi house, was struck by a rifle-ball in the head and instantly killed. He fell in the gateway of the building, and was buried by his comrades in arms within a few feet of the spot. His remains were subsequently removed to the protestant burial ground at San Antonio, where they still rest. His loss was deeply deplored.[11]

On the death of Milam a meeting of the officers was held, and the chief command conferred upon Johnson. At ten o'clock that night captains Llewellyn, English, Crane, and Landram, with their companies, gained possession of the house of Antonio Navarro, situated close to the square. Connected with it was a row of buildings known as the Zambrano Row. The Mexicans endeavored to expel the volun-

[11] *Kennedy*, ii. 149; *Thrall*, 592. Benjamin R. Milam was a native of Kentucky, born of humble parents, and having little education. He distinguished himself in the war between the U. S. and England in 1812–15, and afterward engaged in trading with the Indians at the head waters of the Texan rivers. Later he joined Mina in his disastrous expedition in aid of the revolutionary cause in Mexico, and being one of those who escaped death, rendered valuable services. When Iturbide proclaimed himself emperor, Milam was among the first to join the party that opposed him. For this he was cast into prison, where he languished till Iturbide's dethronement, when he was released. For his services in the republican cause he received in 1828 a grant of eleven square leagues of land in Texas. It seems, however, that he located it by mistake in Arkansas, and applied to the government of the state of Coahuila and Texas for and obtained an empresario grant. He was in Monclova at the time of Victor's deposal, and his capture in company with him has already been narrated in the text. Milam escaped from his prison at Monterey by winning the confidence of his jailer; and being supplied with a fleet horse and a little food by a friend, he travelled alone 600 miles, journeying by night and and concealing himself by day, till he reached the vicinity of Goliad almost exhausted. After the capture of that place he enlisted in the ranks. Milam was about 45 years of age when he fell. *Holley's Tex.*, 244–8; *Tex. Alm.*, 1861, 84–5; *Thrall*, 590–2; *Niles' S. Am. & Mex.*, 283–4; *Cordova's Tex.*, 144–6; *Ward's Mex.*, i. 556.

teers from Navarro's house by firing through loop-holes made in the roof, but they were soon dislodged; the Texan rifles were pointed at the same loop-holes by quicker hands than theirs, and with more certain aim.

The morning of the 8th was cold and wet, and operations on both sides flagged; but at 9 o'clock, the partition wall being pierced, an attack was made on the Zambrano Row. As wall after wall was broken through, the Mexicans were successively driven out of their several rooms, till the Texans held possession of the entire row. That evening certain information was received that Ugartechea during the attack had succeeded in entering the town with a strong reënforcement,[12] but the news did not daunt the stormers. The companies of Swisher, Alley, Edwards, and Duncan were sent to reënforce the holders of Zambrano Row, and shortly after ten o'clock, under cover of the darkness, Cook and Patton, with a company of the Grays and one of the Brazoria companies, by a quick rush made their way up to the priest's house. Breaking through the surrounding wall of the yard, they soon dislodged the Mexicans, gained possession of the house, and barricaded and loop-holed it, ready for rifle practice in the morning. But the capture of this strong building, situated on the north side of the main square, and commanding every part of it, was the crowning work.

For some hours after, on every house held by the Texans and all along the line of their intrenchments, a furious cannonade was kept up, while the fire-flashes from volley after volley of small-arms illumined the darkness and the smoke. But this display of gunnery was only a ruse. Cos, during the night, retired to

[12] This force consisted of 500 convicts, guarded by 100 regulars. *Yoakum*, ii. 31. Filisola, ii. 199, particularizes it thus: 47 Morelos infantry, 14 artillerymen, 150 presidial cavalry, and 400 substitutes, that is, convicts. He states that a large convoy of provisions was expected with these troops, and that when they arrived without any, the discontent was general. They had better have not come at all than by their arrival hasten the consumption of the little food that was left.

the Álamo with the intention of making a general assault upon Burleson's camp, and the garrison and guns were gradually withdrawn from the plaza, with the exception of one piece and a company of the Morelos battalion. But desertion began to manifest itself,[13] and insubordination was abroad. Cries of "Treachery! treachery!" were raised, the impression being that the deserters had gone over to the enemy. The scene of confusion at the Álamo, whither half-starved women and children had flocked by hundreds, is indescribable. There was a perfect panic; it was believed that the soldiers withdrawn from San Antonio had been utterly routed. Soldiers and citizens hustled each other in one common crowd, while many of the former were seen making hurried preparations for a speedy flight. Cos in vain attempted to allay the commotion; his voice was unheard in the din, and his person maltreated in the darkness.[14] Nothing was left for him to do but surrender. Accordingly, Adjutant-inspector José Juan Sanchez was sent at dawn with a flag of truce.

During the period of the attack on San Antonio, Burleson had kept vigilant watch over the operations, ready to aid with reënforcements, or frustrate any strategical movement of the enemy. On the 8th, about fifty men from the Álamo attempted to create a diversion by approaching the camp and opening fire upon it; but a six-pounder being brought to bear upon them, they were soon made to retire. The same day captains Cheshire, Lewes, and Sutherland, with their companies, were sent as reënforcements to the assailants. When advice was received from Johnson that

[13] Captains Juan Galan and Manuel Barragan marched off with their companies to the Rio Grande, taking with them 18 of the company of La Bahia; and Juan José Elguezabal, inspector of Coahuila, left with 23 soldiers of the 1st company of Tamaulipas; in all 175 mounted men, six being officers. *Id.*, ii. 201; *Tex. Alm.*, 1860, 41.

[14] 'Los intempestivos gritos de traicion...no solo apagaran la voz del afligido general, sino que confundido entre la multitud por la oscuridad de la noche...fué atropellado y maltratado de una manera brutal.' *Filisola*, ii. 203.

a flag of truce had been sent in, Burleson proceeded to the town.

After a long discussion regarding the terms of surrender, the commissioners that had been appointed [15] on each side agreed upon a treaty, which was signed on the 11th. The conditions were as favorable as Cos could possibly have expected. He and his officers were allowed to retire with their arms and personal effects, under parole of honor not to oppose the reëstablishment of the constitution of 1824; the convict soldiers were to be conveyed by General Cos with 100 regular infantry, and the cavalry beyond the Rio Grande; the troops might follow their general, remain in Texas, or go elsewhere as they might deem proper, in any case, however, retaining their arms and effects; public property and war material were to be delivered to General Burleson; General Cos was to depart within six days after the signing of the capitulation, and was to be provided with provisions sufficient for his journey as far as the Rio Grande, at the ordinary price. The sick and wounded were permitted to remain.[16]

On December 14th Cos, with 1,105 men and a four-pounder, according to stipulation, moved from the Alamo to the mission of San José, and on the following day continued his march to the Rio Grande. What his losses were has never been ascertained;[17] those of the Texans, according to Johnson's report,

[15] Those appointed by Gen. Cos were José Juan Sanchez, Ramon Músquiz, and Lieut Francisco Rada. Gen. Burleson nominated Col Johnson, Major Morris, and Capt. Swisher. *Tex. Alm.*, 1861, 54–5.

[16] Copy of capitulation in *Tex. Alm.*, 1861, 54–5.

[17] Thompson, ii. 151, considers the estimate 200 killed and 390 wounded as an exaggeration. Yoakum, ii. 31, thinks that the number of killed did not exceed 150. Filisola states that he does not know the number, but gives that of the men who left with Cos as more than 800, including the convicts. ii. 208. Burleson estimated the number of effective men at the time of the surrender at not less than 1,300, 1,105 of whom left with Cos. If these numbers are correct, it would only leave 100 as the total of killed and wounded, for Cos had only about 800 men before the arrival of Ugartechea with 600 from Laredo. If Filisola's figures are correct, and Cos left with no more than between 800 and 900 men, the loss in killed and wounded would be between 300 and 400.

were two killed and twenty-six wounded, one half of them severely. Twenty-one pieces of artillery, 500 muskets, with ammunition and other appurtenances, fell into the hands of the victors.[18] On the 15th Burleson returned to his home, leaving Johnson with a sufficient force stationed at the Álamo, destined erelong to become the scene of tragical events. The citizen volunteers of the army dispersed.

With the departure of Cos no Mexican soldier remained in Texas. What troops were stationed elsewhere had been compelled to retire during the siege. After the capture of Goliad, Captain Philip Dimit was placed in command there, and reënforcements having been sent from Bay Prairie and the Nueces, his force was presently raised to nearly 100 men. Dimit thereupon detailed, November 4th or 5th, about forty of them, under Captain Westover, on an expedition against the town of Lipantitlan on the Nueces River.[19] Lieutenant Nicolas Rodriguez was in command of the place, and was causing much annoyance by detaining traders and travellers on their way eastward. While Westover's force was on the march, Rodriguez, leaving a few soldiers at Lipantitlan, proceeded, according to orders from Cos, against Goliad. The Texans, avoiding him, crossed the river a few miles below San Patricio, and advanced to Lipantitlan, which surrendered at the first summons.[20] Rodriguez, meantime, aware of the situa-

[18] The above account of the capture of San Antonio is mainly derived from the reports of Gen. Burleson and Col Johnson, in *Tex. Alm.*, 1861, 50–4, and *Foote*, ii. 165–73, and the authors quoted. Other authorities that have been consulted are: *Newell's Rev. in Tex.*, 67–71; *Thompson's Mex.*, 176–7; *Domenech's Miss. Advent.*, 21; *Maillard's Hist. Tex.*, 93–5; *Young's Hist. Mex.*, 259; *Gregory's Hist. Mex.*, 53–4; *Holley's Tex.*, 337–44; *Dewees' Letters*, 157–8; *Crockett, Life*, 369–70; *Niles' Reg.*, xlix. 313, 365, 396; *Id., S. Am. & Mex.*, i. 287–96; *Tex. Alm.*, 1869, 38–41; *Swisher, Am. Sketch Book*, vi., no. v., 379–83; *Bustamante, Voz de la Pat.*, MS., x. 136 et seq.; *Tornel, Tej. y Estad. Unid.*, 53.

[19] Linn was one of the party, and due weight has been given to his account on pp. 119–23 of his *Reminiscences*, as also to those of *Filisola*, ii. 187–8; *Yoakum*, ii. 19–20; *Kennedy*, ii. 132–3, and other authorities.

[20] Two four-pounder cannon, eight old Spanish muskets, and a few pounds

tion of affairs, retraced his steps and took up a position a few miles to the north of the Texans, who having remained a day at Lipantitlan were on their return to Goliad. While Westover was crossing the Nueces in the afternoon, Rodriguez advanced against him. Throwing the captured cannon into the river, the Texans prepared for action, and a sharp engagement of half an hour ensued, from which the Mexicans retired with a loss of about twenty men in killed and wounded. The Texans had only one man wounded. The captives taken at Lipantitlan had been released under the condition that they would not bear arms against Texas. Rodriguez retired to Matamoros.

On the day that Cos moved his troops from the Alamo, a terrible tragedy was being enacted at Tampico. On November 6th a schooner named the *Mary Jane* cleared the custom-house at New Orleans for Matagorda. There were about 130 emigrants on board, most of whom, confidently believing in the assurances that had been made them, expected that they were bound for Texas. They were deceived, however, and entrapped. A vile scheme had been got up by General Mejía to make a descent upon Tampico, and induce the passengers, inveigled on board by fair promises, either by persuasion or compulsion to take part in the enterprise. He sailed in the same vessel with them, but it was not until the sixth day out that the majority of them was aware that a Mexican general was on board, and that Tampico was their destination. When the *Mary Jane* arrived off the bar of that port, the whole matter was explained, and about fifty of the emigrants, supposed to have had a previous understanding about the expedition, joined Mejía's standard. The rest were driven below, and the vessel presently struck on the bar and was wrecked. A

of gunpowder composed the spoil. The fort was a simple embankment miserably constructed.

landing having been effected at great risk, the fort at the north of the harbor surrendered through the treachery of the officer in command. On Sunday the 15th arms were put in the hands of those who had previously refused to serve, and an attack directed against the town. Mejía had expected that the Mexicans would rally to his standard; but he was soon undeceived by the unanimous cries of "Viva Santa Anna! Death to foreigners!" which greeted him in the streets. The attack on the plaza was a wretched failure; but Mejía and most of his force escaped in a small merchant vessel to the Brazos. Thirty-one unfortunate victims, however, were captured, of whom three died of their wounds in the hospital; the remaining twenty-eight were shot December 14th.[21]

While the events above narrated were taking place, the provisional government was far from adequately active. The position was a difficult one, but alas! dissension between the governor and the council produced embarrassments which imperilled the probabilities of success for the Texan cause. Money was badly wanted. Little coin had the colonists at this period: their wealth consisted in their lands, their cattle, and the produce of their toil — property not readily convertible into specie, and in most instances only sufficient to supply their wants. The richer settlers, it is true, contributed freely, but they were few in comparison

[21] *Fisher's Memorials*, passim. *Edwards' Hist. Tex.*, 260–9. Among the documents supplied by the writer is the last petition of the victims, with a list of their names. Large sums of money were offered for the lives of the sufferers by sympathizers; even $5,000 for any individual, and $100,000 as a ransom for all. These offers were sternly refused. Consult *Filisola*, ii. 188–92. Mejía on his return to Texas endeavored to interest the provisional government in an expedition which he meditated into the interior of Mexico. The council, contrary to Gov. Smith's advice, were disposed to help him, but requested him to operate with the forces besieging Béjar. Mejía declined and the council withdrew its aid, whereupon he took his departure. Mejía's account of the expedition against Tampico will be found in *Fisher's Memorials*, praying the Texan congress for relief in favor of those who took part in the expedition. These memorials, which furnish a large number of documents on the subject, were printed in pamphlet form at Houston in 1840. Fisher was secretary to the expedition.

with those who had nothing to offer but their services in the field. These latter enthusiastically responded to the call for volunteers, but a long campaign would necessarily disperse them. During their absence their fields and workshops were abandoned, and their families in many cases reduced to distress. Such troops, however brave and patriotic they might be, could not be depended on as a standing army in a protracted war. Moreover, they had to be provided with food and clothing, arms and munitions of war. The first necessity, therefore, was money, and only in the United States could the government hope to raise funds.

Immediately after its inauguration the council[22] proceeded to appoint special committees to attend to the immediate work required to be done in connection with the different branches of government. Accordingly, the army and navy, financial, Indian, and state affairs, were assigned to respective committees for their reports thereon.[23] The first symptoms of disagreement between Governor Smith and the council occurred November 24th, occasioned by the latter having appointed Thomas F. McKinney special agent to negotiate a loan of $100,000. The governor considered that this appointment was an interference with the duties assigned to the commissioners already appointed, and who were about to proceed to the United States. He therefore vetoed the bill; but it was passed nevertheless by a constitutional majority in the council.

On November 27th the financial committee presented its report. The domains of Texas were estimated at 250,000 square miles, 10,000,000 acres only of which, or 15,625 square miles, were considered as appropriated, and on these it was suggested that a tax of one cent per acre be levied. The population

[22] The members of the council were being continually changed, and some men of doubtful capacity and integrity were installed during these changes. *Tex. Alm.*, 1860, 43.

[23] *Journal of Gen. Council*, 17–18.

was calculated at 50,000. A tax of one dollar per caput on slaves was also recommended, as well as a duty on foreign tonnage, one of one quarter of a cent per pound on the exportation of cotton, and another of from 15 to 30 per centum on imports.[34] But receipts derived from such sources would be slow in coming in, and the negotiation of a loan was evidently the only means of speedy relief from the pressing wants of the government.

When Austin arrived at San Felipe, November 29th, he found that his instructions had not even yet been prepared by the council, and it was not until December 6th that Governor Smith was authorized to give them. Shortly after that date, the commissioners, Austin, Wharton, and Archer, left for the United States, accompanied by A. Huston and John A. Wharton, appointed by General Houston, at the suggestion of the commissioners, as agents to procure arms, ammunition, and provisions at New Orleans.

General Houston, as commander-in-chief, had remained at San Felipe to aid in the organization of the army. Under his guidance a number of measures were framed and passed providing for the establishment of a regular army of 1,120 men, of local militia companies, and a corps of rangers. On December 12th he issued a proclamation,[35] appealing to the patriotism of the people, and setting before them the condition of affairs. Santa Anna's letters had been intercepted, he said, and his plans for their destruction were known. An invading army of 10,000 men had been already ordered to Texas to exterminate the Anglo-Americans, or drive them from the land. A force of 5,000 volunteers was wanted to oppose the invasion. To all who would enlist in the regular army a bounty of $24 and 800 acres of land would be given;

[34] *Gouge's Fiscal Hist. Tex.*, 32-3; *Journal of the Council*, 63 et seq.

[35] Copy of which will be found in *Morphis, Hist. Tex.*, 126-31, and *Yoakum*, ii. 450-2.

and to those who tendered their services for a term of two years, or for the war, as soldiers in the auxiliary volunteer corps which it was the design of the government to raise, 640 acres would be given. But Houston's efforts were fettered by the rupture between the governor and the council, and the unfriendly spirit shown by the latter and their supporters toward himself. He bitterly complained December 17th that more than a month had elapsed since the adjournment of the consultation, and yet the army was not organized. He even expressed his belief that the chairman of the corresponding committee was interposing every obstacle in his way. Nor did the evil rest here; its baneful influence affected the foreign volunteers. Houston, by order of the governor, removed his headquarters, December 25th, to Washington, on the Brazos; and on reporting his arrival, mentions that he found there two companies, lately from Alabama and Kentucky, who did not conceal their mortification at the dubious position in which they found themselves, and showed a disposition to abandon the cause.[26]

The breach between the governor and council widened daily. Incessant changes in the latter caused its members to be carelessly indifferent as to their duties and responsibilities, and their action was guided more by the spirit of opposition than by that of patriotism. The proceedings of this provisional government present a page in the history of Texas painful to read. At a time when her vitality depended upon the harmonious working of all her members, they were at variance. Recriminations, ribald abuse, and mutual reproaches were bandied between the opponents, and as each side had its supporters, two strong factions were developed. Governor Smith on divers occasions considered it necessary to exercise the veto; but it mattered not, his vetoes were always overruled. The office of judge-advocate-general was created by the council, and D. C. Barret, a member of that

[26] Houston to Gov. Smith, in *Id.*, ii. 448–50, 453–5.

body, was elected to fill the position. Edward Gritton was at the same time appointed collector of revenue at the port of Cópano. Smith refused to ratify the appointments, and in his message of December 17th, gave his reasons. Gritton's past record, he said, was not satisfactory; he had been the secretary of Almonte, who had been sent by Santa Anna to report on the condition of Texas, and the governor regarded Gritton as a spy. Barret, he asserted, had forged an attorney's license in North Carolina, and he denounced him as a passer of counterfeit money, and for having embezzled funds that had been furnished to him and Gritton when sent a few months before on an embassy to General Cos. The council nevertheless sustained their member.[27]

A plan for the capture of Matamoros brought matters to a climax. The scheme originated with a certain Doctor Grant, a man of wealth, and possessing large estates at Parras in Coahuila. Grant had assisted at the capture of San Antonio, had fought bravely there, and was severely wounded. But his gallantry was displayed for the promotion of his personal interests, and not in support of the Texan cause. He was an active federalist, and having been a member of the dispersed legislature at Monclova, had taken refuge in Texas. His object now was to restore the old order of things, and regain possession of his estates. It was he who, by his highly colored descriptions of the interior of Mexico, had excited among the foreign volunteers before San Antonio a desire to march against Matamoros; and after the fall of the former place the ardent victors, elated at their triumph, listened still more eagerly to his representations, and were ready to engage in any adventurous undertaking. Besides, he assured them that the inhabitants of Matamoros and the interior were opposed to Santa

[27] Yoakum in narrating this quarrel had before him the original message, which was read in secret session, and ordered to be placed on file, and not entered on the journals of the house, ii. 44-5.

Anna and the central system, and would rally round their standard on their approach. Application was, therefore, made to the government for its approval of the scheme. The council readily granted it; but the governor and Houston were already proceeding in the same direction, and making preparations for the coming campaign.

After the fall of San Antonio, the foreign volunteers there, in number over 400, showed a restlessness at the inaction which followed, while at the same time others kept arriving from the United States;[28] in order to retain them, it was necessary to engage in some enterprise. Early in December Captain Dimit, in command at Goliad, had warmly urged the government to make a descent on Matamoros, and it was doubtless in consequence of his representations that Houston, in obedience to instructions from Governor Smith, on December 17th, directed James Bowie, then at Goliad, to organize an expedition against that place. If the reduction of Matamoros was not practicable, he was to secure the most eligible point on the frontier and hold it. Under any circumstances, the port of Cópano was to be secured.[29] At the same time Houston issued orders that volunteers who should arrive at the Brazos should proceed to Cópano, and ordered several detachments to repair to Goliad and Refugio, which he designated as places of rendezvous. Instructions were sent to the agents at New Orleans regarding the shipment of provisions and munitions of war, with directions to store them at Matagorda and Cópano, and colonels William B. Travis and J. W. Fannin were stationed at San Felipe and Velasco, respectively, on recruiting service. Thus Governor Smith and the commander-in-chief had already formed their plan and discountenanced any other.

[28] On Dec. 20th there were about 400 men at Béjar, 70 at Washington, 80 at Goliad, and 200 at Velasco, 750 in all, besides several companies on the march to different places of rendezvous. *Id.*, ii. 46. These numbers doubtless include the few citizen volunteers who still remained in service. Consult R. R. Brown's account, in *Tex. Alm.*, 1859, 134. He estimates the number of U. S. volunteers at San Antonio at about 460 men.

[29] Houston to Bowie, in *Id.*, 454; *Morphis, Hist. Tex.*, 133.

Colonel Johnson was in favor of the plan proposed by Grant, and repaired to San Felipe, where he readily obtained the approval of the government and the necessary order for the expedition. Grant left San Antonio de Béjar soon after, in the latter part of December, with about 400 volunteers, leaving Colonel James C. Neill in command of the Álamo with a force of little over sixty men.[30] Grant appropriated the clothing, ammunition, and provisions intended for the garrison as its winter supplies.

Colonel Neill at once informed the commander-in-chief of the destitute and defenceless condition in which San Antonio had been left. Houston, by despatch of January 6th,[31] transmitted the report to the governor, who on the perusal of it lost all control of his temper. On January 9th he sent in to the council a message couched in most intemperate language. He stigmatized Grant's expedition as predatory and piratical, and charged the council with conniving at it. "Instead of acting," he said, "as becomes the counsellors and guardians of a free people, you resolve yourselves into low, intriguing, caucusing parties." He applied the terms "Judas," "scoundrels," "parricides," and "wolves" to a portion of the members;[32] and having heaped all the abuse upon them that his power of language was capable of, he declared the council adjourned till March 1st,

[30] R. R. Brown's account in *Tex. Alm.*, 1859, 134; *F. W. Johnson*, in *Baker's Tex.*, 80–1.

[31] Copy in *Yoakum*, ii. 457–8.

[32] Full text of this extraordinary document will be found in *Journal of the Gen. Council*, 290–3. I quote the following extracts: 'I know you have honest men there, and of sterling worth and integrity; but you have Judas in the camp—corruption, base corruption, has crept into your councils—men who, if possible, would deceive their God.' 'I am now tired of watching scoundrels abroad and scoundrels at home.' 'Look around upon your flock: your discernment will easily detect the scoundrels. The complaint: contraction of the eyes; the gape of the mouth; the vacant stare; the hung head; the restless, fidgety disposition; the sneaking, sycophantic look; a natural meanness of countenance; an unguarded shrug of the shoulders; a sympathetic tickling and contraction of the muscles of the neck, anticipating the rope; a restless uneasiness to adjourn, dreading to face the storm themselves have raised.' 'Let the honest and indignant part of your council drive the wolves out of the fold.' 'They are parricides, piercing their devoted country, already bleeding at every pore.'

unless it immediately "made the necessary acknowledgments to the world of its error, furnishing expresses to give circulation and publicity in a manner calculated to counteract its baleful effects."

The council considered itself grossly insulted, and was proportionately exasperated. The message was referred to a committee, which reported on it January 11th. Smith was denounced as a man whose language and conduct proved "his early habits of association to have been vulgar and depraved." His charges against the council were indignantly repelled, and his style and language condemned as "low, blackguardly, and vindictive." The committee, therefore, advised the return of the paper, and that resolutions be passed declaring that the council was the representative of the people; that it would sustain the dignity of the government; and that Governor Henry Smith be suspended from the exercise of his functions. The report, having been read, was unanimously adopted.[33] Lieutenant-governor Robinson was called to fill the office of acting governor, and the secretary of the executive was notified that he would be held responsible for all records, documents, and archives of his office. A proclamation explaining their action to the people of Texas was also issued.

This resolute attitude astonished Smith, and he made a half-apologetic attempt at reconciliation. While still requiring the council to acknowledge its error, he says: "Believing the rules of christian charity require us to bear and forbear, and as far as possible to overlook the errors and foibles of each other, in this case I may not have exercised towards your body that degree of forbearance which was probably your due;" and he expresses the hope that the "two branches of government would again harmonize, to the promotion

[33] *Id.*, 294–6. Copy of it will be found in *Dewees' Letters*, 161–3. The committee was composed of R. R. Royall, chairman, Alexander Thomson, Claiborne West, J. D. Clements, and John McMullin. One of the charges of Smith against the council was that it passed 'resolutions without a quorum, predicated on false premises.'

of the true interests of the country."[34] But the council was not in a mood to practise christian forbearance: it refused to revoke its resolutions; Robinson became acting governor; while Smith resisted all efforts to obtain from him the executive records. He retained his seal of office and the archives, threatening, when they were demanded of him, to defend them by force, and in retaliation called for certain papers, with the menace that unless his demand was promptly complied with, he would order the arrest of the members of the council and send them to Béjar for trial by court-martial.[35] And thus this miserable contention went on, at a time when Santa Anna was making preparations to invade Texas with an overwhelming force. The two parties surfeited the public with explanations of their conduct, and caused no small disgust and lukewarmness. One conclusion only was arrived at, namely, that the council and executive having been created by the consultation, neither had the power to suspend the functions of the other. From January 18th the council never had a quorum, and the shadow of its existence disappeared shortly after the meeting of the convention on March 1, 1836.[36]

But this lamentable discord was productive of confusion and its subsequent evils. A lethargy seemed to settle upon the Texans. At the time when they ought to have been in the field by thousands, citizen volunteers were wanting, and the brunt of the first onsets was borne by hundreds of brave men who had left their homes in the United States to fight for Texas, and whose blood was poured upon her soil.[37] The efforts of the commander-in-chief were paralyzed. At a most momentous crisis he found that the

[34] *Journal*, *ut sup.*, 308.

[35] A full account of these quarrels will be found in *Id.*, 296–309, 312–13, 319–28, 338–9, 351–2.

[36] See the entries in the *Journal*, 347–63.

[37] 'Las soldados de Travis en el Alamo, los de Fannin en el Perdido, los rifleros del De Grant y el mismo Houston y sus tropas de San Jacinto con pocas escepciones es notorio que vinieron de Nueva Orleans, y otros puntos de la republica vecino.' *Santa Anna Manif.*, in *Pap. Var.*, 149, no. 15, p. 12.

council had appointed, on January 7th, J. W. Fannin military agent to raise and concentrate all volunteers who were willing to take part in an expedition against Matamoros, empowering him at the same time to call upon all public agents for provisions and supplies of all kinds. This was clearly an encroachment upon the commander-in-chief's prerogatives; the organic law of November 13th declared that the major-general should be commander-in-chief of all the forces called into public service during the war.[38] Houston had left Washington on the 8th, arrived at Goliad on the 14th, and thence proceeded to Refugio, where he had an interview, on the 21st, with Colonel Johnson, who had just arrived from San Felipe, empowered by the council to undertake the expedition against Matamoros. Johnson informed Houston of the authority granted him; and showed him the resolutions of the council suspending Governor Smith. When the commander-in-chief became aware of the action taken by the council, he recognized its intention to supersede him. He immediately denounced the proposed expedition as unwise and unauthorized, in a speech addressed to the volunteers assembled there; and conscious that if he remained with the army every mishap would be ascribed to him, returned to Washington, having been elected by the citizens of Refugio their delegate to the convention, and on January 30th reported matters to Smith.[39]

Houston, Forbes, and Cameron had been appointed by the governor and council as commissioners to treat with the Indians. When Houston returned he received a furlough from Smith till March 1st, with instructions to proceed on his commission. Accordingly he and Forbes went to Bowl's village, and entered into a treaty with the Indians, February 23,

[38] See article ii. of the declaration defining the military regulations. *Kennedy*, ii. 496.

[39] Houston to Gov. Henry Smith, Jan. 30, 1836, in *Yoakum*, ii. 460–70; *R. R. Brown's Account*, in *Tex. Alm.*, 1859, 134.

1836, in accordance with the 'solemn decree' of the consultation.[40]

[40] On Nov. 13, 1835, the consultation had issued a 'solemn decree,' declaring that the Cherokees and their 12 associate tribes had derived just claims to lands, and defined the boundaries to be the San Antonio road and the Neches on the south, and the Angeline and Sabine rivers on the east. It guaranteed to them the peaceable enjoyment of their rights to their lands. All grants and locations within the bounds mentioned were declared null; and that it was the sincere desire of the consultation that the Indians should remain friends of the Texans in peace and war. The public faith was pledged for the support of these declarations. *Journals of the Consult.*, 51–2. The treaty was subsequently rejected by the Texan senate. *Tex. Alm.*, 1860, 45.

CHAPTER X.

THE ÁLAMO AND GOLIAD MASSACRES.

JANUARY–MARCH 1836.

APATHY OF THE TEXANS—SANTA ANNA'S PREPARATIONS AND MARCH—DESCRIPTION OF THE ÁLAMO—DAVID CROCKETT—THE SIEGE—STORMING OF THE ÁLAMO—THE ASSAULT—HAND-TO-HAND CONTESTS—DEATH OF BOWIE—A HOLOCAUST—VICTORY DEARLY BOUGHT—DECLARATION OF INDEPENDENCE—NAMES OF THE SUBSCRIBERS—LABORS OF THE CONVENTION—A PROVISIONAL GOVERNMENT ORGANIZED—THE CONSTITUTION—FANNIN'S PREPARATIONS AT GOLIAD—DESTRUCTION OF GRANT'S PARTY—URREA'S MOVEMENTS—CAPTURE OF SAN PATRICIO—FANNIN'S FORCE—KING'S PARTY SHOT—ASSAULT ON THE MISSION OF REFUGIO—CAPTURE OF WARD'S COMMAND—HOUSTON AT GONZALEZ—MOVEMENTS OF THE MEXICAN FORCES—FANNIN RETREATS TOWARD VICTORIA—A FATAL DELAY—BATTLE OF ENCINAL DEL PERDIDO—SURRENDER OF FANNIN—A BARBAROUS MASSACRE—NUMBER OF THE VICTIMS.

THE meditated descent on Matamoros, by its diversion, was the cause of disaster at Béjar. Recognizing that no adequate force could be sent for the defence of that place, Houston, on the receipt of a letter from Colonel Neill informing him that 1,000 men were on the march against it, had despatched from Goliad Colonel Bowie with a small force, on January 17th, with instructions to destroy the fortifications and bring off the cannon.[1] Neill, however, was unable to remove the artillery from want of teams, and therefore did not demolish the defences. When advised of this, and of the fact that there were only about 80 men in the place, Governor Smith sent thither Colonel Travis with another small force, and

[1] Houston to Smith, Jan. 17, 1836, in *Yoakum*, ii. 458.

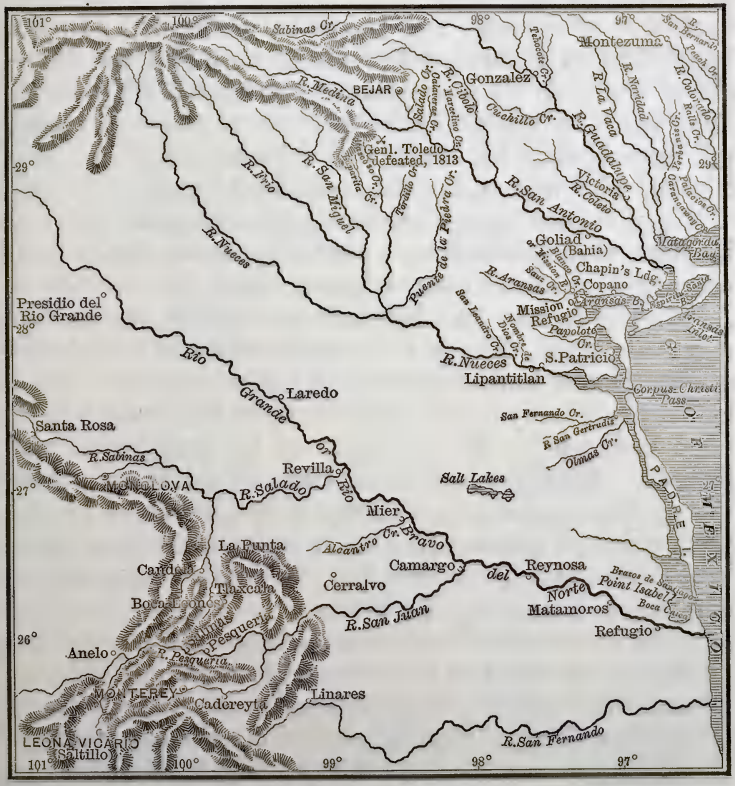
Neill shortly afterward returned home, leaving Travis in command. Travis now called for money, provisions, clothing and a reënforcement of 500 men—supplies beyond the power of the commander-in-chief to furnish. The recruiting service had been sadly unsuccessful. Apathy seemed to have settled on the people; and in painful contrast with the zeal and enthusiasm displayed in the previous year was the disregard now shown to the call for recruits. The quarrel between the governor and council, disbelief in the reports that an invading army was approaching, rumors that great numbers of volunteers were constantly arriving or were on their way from the United States, and the toils of the late campaign and the privations undergone by the families of those who took the field, combined to cause this fatal indifference. In regard to funds the government was almost destitute. Although the commissioners to the United States negotiated, January 8th, a conditional loan for $200,000 in New Orleans, the sum of $20,000 only was immediately realized, and it was applied to the purchase of army supplies. Another loan of $50,000 was obtained, January 18th, and devoted to the same purpose.[2] Thus the garrison at Béjar was left to its fate.[3]

Meantime active preparations had been made by Santa Anna to invade Texas with an overwhelming force. Having completely suppressed all opposition in Mexico, he proceeded to San Luis Potosí, where he arrived at the beginning of December 1835, and

[2] Austin to Houston, Jan. 7, 1836, and to D. C. Barret, Jan. 17, 1836, in *Foote*, ii. 194–7; *Yoakum*, ii. 62. The remainder of the first loan was never realized, the stockholders objecting to modifications made by the executive government in the original agreement. The loan was negotiated on a sale of lands with the condition of the exclusive right of immediate location. This was regarded as unfair to the volunteers in the field, who would only be able to locate after the termination of the war. A donation of 32 leagues of land was offered the stockholders if they would relinquish their right of priority of location, but they unanimously voted against the modified contract. *Barrett's Message*, Oct. 4, 1836; *Gouge, Fiscal Hist. Tex.*, 50.

[3] Particulars of the destitute condition of the garrison are given in Travis' letter of Feb. 14, 1836, to Gov. Smith. Original in *Pinart's Tex. Col.*, no. 2.

remained for some time making his final arrangements. His force was composed of three brigades, numbering over 6,000 men, the flower of the Mexican army. General Filisola was appointed second in command. The first brigade, under General Sesma, was immediately sent in advance to relieve Cos, then besieged



SANTA ANNA'S MARCH.

in Béjar. His surrender, however, was known shortly afterward, and at the end of the month the second and third brigades, under generals Tolsa and Gaona, and a portion of the artillery, under General Ampudia, marched for Saltillo, the cavalry commanded by General Andrade following January 1, 1836. On the 2d

Santa Anna left for the same place, and remained there nearly a month organizing his troops. From Saltillo General José Urrea was despatched to Matamoros with 200 cavalry, to unite with forces that had been concentrated at that place. On the 25th of the same month Santa Anna held a review of his army, at which his force was found to be about 5,000 men, exclusive of Sesma's and Urrea's commands.[4] In the beginning of February the army marched for Monclova, from which place Santa Anna, having left instructions to his generals relative to their advance, proceeded with his staff and fifty horsemen to join Sesma, who was at the town of Rio Grande.

The distance from Monclova to Rio Grande is eighty leagues, through a desert country almost destitute of resources for either man or beast; from Rio Grande to Béjar it is nearly 100 leagues, through a region still more desolate. There, little water could be found, and no produce of human hands. On the march to Texas half-rations only were dealt out to the troops, who were reduced to the extremes of hunger, thirst, and fatigue. Sickness and exhaustion struck them down; the gun-carriages and artillery wagons became loaded with helpless soldiers picked up on the way, and numbers perished.[5] Nevertheless, through storms of rain and snow, beaten by icy blasts or scorched by a fiery sun, the soldiers accomplished their painful march, and on February 23d the advance brigade which left Rio Grande on the 16th took possession of Béjar without opposition, Travis having retired on the approach of the enemy to the Alamo, with 145 men.[6] Santa Anna

[4] *Cavo, Verdad. Idea*, 2, 4–5; *Santa Anna, Manif.*, 8, in *Pap. Var.*, 149, no. 15. Arroniz, *Hist. Mex.*, 270, states that Santa Anna organized at S. Luis Potosi an army of 8,000 men. Bustamante says that the Mex. army in Texas did not exceed 10,000 men. *Hist. Invas.*, i. 6–7.

[5] *Cavo, Verdad. Idea*, 7; *Filisola, at sup.*, ii. 347–62. The animals were attacked with the diseases known as the *mal de lengua* and the *tabe*. The former was an inflammation of the tongue, caused by eating dry pasturage, and want of water; the latter was a fever produced by heat, and drinking stagnant water heated by the sun. *Id.*, 352–3.

[6] This is the number given by Travis in a letter dated March 3d, in which he says: 'With 145 men I have held this place ten days against a force vari-

arrived soon afterward with his staff, and immediately demanded an unconditional surrender of the place and its defenders. His summons was replied to by a cannon shot, whereupon he hoisted a blood-red flag on the church in token of no quarter, and commenced a bombardment and cannonade from two howitzers and two long nine-pounders.[7]

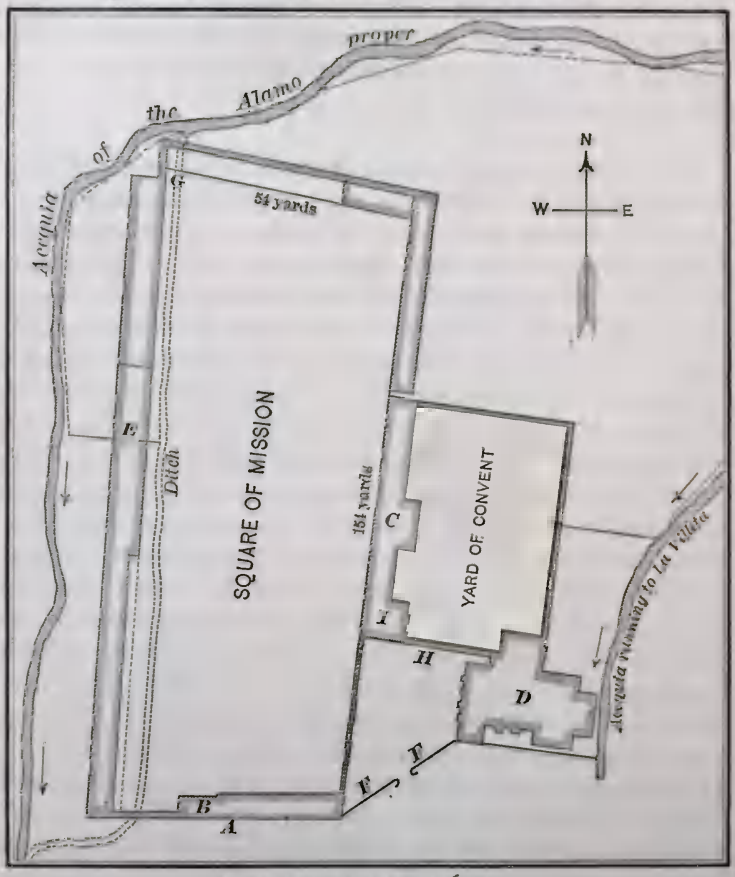
The Álamo, though built for a mission, was a strong enough place for defence except against siege artillery. Its surrounding walls were of masonry from two and a half feet to one vara thick, and eight feet high. The main area, or square of the mission, was 154 yards long by 54 wide, though it was not a perfect parallelogram, being somewhat narrower at the southern than at the northern extremity. On the south-east of it was the old church with walls of hewn stone four feet thick, and twenty-two and a half feet high. It had never been completed, and was roofless, but was made serviceable as a magazine and for soldiers' quarters. From the north-eastern corner of the chapel attached to it, a wall extended northward 186 feet, thence westward at right angles to the convent enclosing the yard of the convent. This was a two-story adobe building, 191 feet long and 18 feet wide. It was divided into apartments, and was used as an armory and barracks. The prison was of one story, 115 by 17 feet, and from its south-eastern corner a diagonal ditch, surmounted by a strong stockade, with an entrance in the centre, extended to the south-west corner of the church. The whole area of the different enclosures was between two and three acres, and a plentiful supply of water was obtained from two aqueducts, one touching the north-west corner of the main

ously estimated from 1,500 to 6,000.' *R. M. Potter*, in *Tex. Alm.*, 1868, 32; *Yoakum*. ii. 79. Caro, *ut sup.*, 8, gives the number 156 as supplied to him by the citizens of Béjar. Potter indorses these figures. Santa Anna grossly exaggerated the number of the defenders, reporting them as over 600. See his report of March 6, 1836, in *Filisola, Mem. Tej.*, 1849, i. 16.

[7] Travis to fellow-citizens, Feb. 24, 1836, and to the president of the convention, March 3, 1836, in *Foote*, ii. 218–22; *Dewees' Letters*, 179–80, 184–7.

area, and the other running close to the eastern wall of the church.

Though the Álamo had neither redoubt nor bastion



GROUND-PLAN OF THE ÁLAMO.

A. Entry of the Mission.
B. Carcel or Prison.
C. Convent.
D. Church, Chapel, and Vestry.
E. Walls, 23 inches thick.
F. Stockade
G, H, I Places where Travis, Crockett and Bowie, respectively, fell.

to command the lines of the fort, fourteen guns were mounted at different points, presenting a formidable obstacle to approach. Of these, three heavy pieces had been planted with much labor upon the walls of

the church by General Cos, respectively pointing north, south, and east. Two pieces protected the entrance by the stockade; two more defended the gateway and prison; on terre-pleins one gun was mounted at the south-west angle of the main square, two on the western wall, one on the north-west angle, two on the northern wall, and a single piece on the north-east angle.[8]

Travis seems to have been extremely careless about informing himself of the movements of the enemy by means of scouts.[9] The foe's arrival was so sudden and unexpected at last that Travis had not even time to throw a few provisions into the Álamo, a precaution which it is a matter of surprise that he did not take on receipt of the first intimation of Santa Anna's approach. In his letter of February 24th he wrote: "When the enemy appeared in sight, we had not three bushels of corn. We have since found in deserted houses eighty or ninety bushels, and got into the walls twenty or thirty head of beeves."[10] His supply of ammunition, too, was small; but under all the unequal circumstances with which he was beset, not for one moment did he or his heroic band think of surrender. The men who cast their lot with him were as dauntless as ever handled warlike weapon in any age. Among them were such spirits as James Bowie, his second in command, David Crockett,[11]

[8] This description of the Álamo and its garniture is derived from *Filisola*, ii. 182–5; *Potter*, in *Tex. Alm.*, 1868, 33, 38; *Thrall*, 239–41; *Yoakum*, ii. 75–6. The latter derived his information from a letter of G. B. Jameson, dated Jan. 18, 1836, and containing a description and plan of the place. Yoakum is astray as to measurements.

[9] Potter considers that the neglect of scouting indicates a great lack of subordination, and that Travis had little control over his men, who were willing to die by him, but not ready to obey him. *Tex. Alm.*, 1868, 37.

[10] *Foote*, ii. 219.

[11] Crockett was born in Tennessee Aug. 17, 1786, his father, John Crockett, being of Irish descent. In education, character, bearing, and training he was a thorough frontier man. Tall, powerful, active, and accustomed to the use of the rifle from childhood, he was a mighty hunter and a fearless soldier. During the war of 1812 he fought bravely for his country. His hospitality, honesty, and humorous sayings gained for him not only numerous friends, but wide-spread popularity, and in 1823 he was elected to the state legisla-

whose fearlessness of soul was equalled only by his simple integrity, and the chivalrous J. B. Bonham of South Carolina. Victory or death was their battle-cry; so they hoisted their flag,[12] determined to die before the enemy should pull it down.

On the 24th Travis sent an appeal to his fellow-citizens for assistance, declaring that he would never surrender or retreat. The bombardment was vigorously maintained, and day by day, as Santa Anna's forces kept arriving, the investment of the place was drawn closer, and more batteries brought to bear upon it.[13] Yet strange to say, up to March 3d, though 200 shells at least fell inside the works, not a single man was injured. The cannonade, too, had little effect on the thin walls, as the enemy had no siege train, but only light field-pieces. Many Mexicans, however, fell

ture. In 1827 he became a candidate as member of congress for Tennessee. Possessed of a deep fund of original humor, of generous impulses and unswerving integrity, while his lively phraseology was peculiarly adapted to captivate the voters of that pioneer state, his canvass was a great success, and he was again reëlected in 1829. But electioneering and legislation were two different matters, and Crockett did not find it so easy to rise and impress the house with his convictions as to deliver stump-speeches, seasoned with jokes and amusing stories, to audiences of backwoodsmen and cotton-growers. Nevertheless, politics had their fascination for him, and he was anxious again to be returned. But his opposition to President Jackson had brought down upon him the anger of the administration, and no effort was spared to prevent his reelection. He was consequently defeated, and, bitterly disappointed, determined to seek other kind of excitement in fighting for the cause of Texas. Accordingly, he went thither at the beginning of 1836. Having arrived at Nacogdoches, he there became a citizen, and took the oath of allegiance to any future republican government; he refused to do so, however, until the word 'republican' was inserted between 'future' and 'government' in the document. That being done, he signed the instrument and proceeded to Béjar, where he arrived a few weeks before the siege of the Alamo. Crockett was twice married, having two sons and one daughter by his first wife. *Life of Col David Crockett, written by Himself. Comprising his Early Life. To which is added an account of Col Crockett's glorious Death at the Alamo, while fighting in defence of Texan Independence. By the Editor.* Philadelphia, 1859, 12mo; *Kennedy*, ii. 189–93.

[12] The tri-colored Mexican flag with two stars, designed to represent Coahuila and Texas. This is mentioned in Almonte's manuscript journal of the campaign, found on the battle-field of San Jacinto by Anson Jones. *Kennedy*, ii. 180–1. It must be borne in mind that independence was not yet declared, and that the heroes of the Alamo fought under the federal flag of 1824.

[13] On the night of the 25th two batteries were erected on the other side of the river in the alameda of the Alamo. *Id.*, 182–3. Intrenched encampments were formed in Béjar, 400 yards west; in La Villita, 300 yards south; at the garita, or powder-house, 1,000 yards south by east; on the Alamo ditch, 800 yards north-east; and at the old mill, 800 yards north. Travis' letter of March 4d, in *Foote*, ii. 212–28.

before the rifles of the besieged, who, economizing their small supply of ammunition, only fired when the assailants came well within range. On the night of the 25th the former burned some houses of wood and straw in the vicinity, which had furnished a cover to the enemy, and on the 26th sallied out for wood and water without loss, firing at night more houses near a battery on the Álamo ditch. The siege continued, and sun after sun rose and set upon the beleaguered fortress. Occasional skirmishing occurred by day and frequent alarms by night, harassing the garrison by the necessity of unremitted watchfulness, and the ceaseless expectation of assault. Yet the investment was not so complete as to preclude all communication with the outside. On March 1st thirty-two gallant men from Gonzalez, conducted by Captain J. W. Smith, safely effected their entrance into the Álamo at three o'clock in the morning; and on the 3d J. B. Bonham, who had been sent to Goliad for aid before the approach of the enemy, arrived without mishap.[14] During the siege the defenders were actively employed in strengthening the walls, by throwing up earth and intrenching on the inside.

On March 4th picked companies of Santa Anna's 3d brigade arrived by forced marches, and the Álamo was surrounded by at least 5,000 men.[15] A council of war was now held by Santa Anna on the question of assaulting the place. Almonte says: "Cos, Castrillon, and others were of opinion that the Álamo should be assaulted after the arrival of two twelve-pounders expected on the 7th instant. The presi-

[14] *Ib.* Caro erroneously states that 25 men from Gonzalez entered in open daylight. *Verdad. Idea*, 9.

[15] These figures are nearly correct. The whole of Gaona's brigade had not yet come up. On Feb. 29th at midnight Gen. Sesma left camp with the cavalry of Dolores and the infantry of Allende to meet Fannin, who was supposed to be on his march from Goliad with 200 men to the relief of the Álamo. Finding no trace of the enemy, Sesma returned on the following day. *Almonte's Diary*, in *Kennedy*, ii. 183. Fannin, in fact, did leave Goliad with 300 men and 4 guns, Feb. 28th, having received a letter from Travis on the 25th; but being short of provisions, and not having sufficient teams, he held a council of war, at which it was decided to return to Goliad. *Fannin to Lieut. Gov. Robinson*, Feb. 29, 1836; *Yoakum*, ii. 78.

dent, General Ramirez Sesma, and myself were of opinion that the twelve-pounders should not be waited for, but the assault made."[16] On the 5th Santa Anna decided to act according to his own opinion, formed his plan, and issued his orders for the attack. The storming columns were four in number; the first was commanded by General Cos, who had dishonorably broken his parole; the second by Colonel Francisco Duque, with General Castrillon as his successor; the third by Colonel Jose María Romero, with Colonel Mariano Salas; the fourth by Colonel Juan Morales, with Colonel Jose Miñon. The reserve was commanded by Santa Anna, and placed under the orders of Colonel Agustin Amat. All the columns were provided with ladders, crow-bars, and axes. The attacking force numbered about 2,500 men, while the cavalry were ordered to be stationed at suitable points so as to cut off all possibility of escape.[17] The sharp-shooters were withdrawn from their positions during the night, and the artillery ceased its fire.

At four o'clock on the morning of the 6th the storming columns silently took up their positions, one on each side of the Álamo, awaiting the signal of the bugle to assault. Meantime the besieged were on the alert, and had made preparations to receive their assailants.[18] It was the sabbath day, and at the first glimmer of light the fatal bugle-blast broke the silence of the hour, followed by the tramp of the columns as they rushed to the assault. They were met with a terrible discharge of artillery and rifles, and recoiled at the slaughter inflicted upon them. Colonel Duque, whose column was directed against the northern wall, fell grievously wounded, and his men were thrown into utter confusion. Those also directed against the western and eastern sides came

[16] *Almonte's Diary, ut sup.*

[17] Copy of the general order in *Filisola, Mem. Tej.*, 1849, 1, 7-9.

[18] Santa Anna claims that he would have surprised the garrison but for the imprudent shouts raised by one of the columns when the signal was given. *Manifesto*, 10, in *Pap. Var.*, 182, no. 8.

to a disorderly halt. But the officers urged them on, and driven forward by those behind, these two columns gained the foot of the walls. Unable to scale them, they moved by the right and left to the northern side, and uniting with Duque's column, formed one dense mass. Again the assault was made, and again repulsed. The carnage was horrible. But what could the feeble garrison avail against a multitude, when 1,000 men would barely have manned the defences? After the first two shots the artillery was useless against a foe crowded below the range of fire. Travis fell dead, shot through the brain, while working the gun at the north-western angle;[19] a small breach, too, had been made in the wall by the cannonade during the siege. A third time, animated by the example and courageous bearing of General Juan Valentin Amador, the stormers returned to the attack, scaling the parapet, and pouring in through the breach faster than rifles could be loaded. While this was occurring on the northern side, the column under colonels Morales and Miñon had under similar circumstances gained an entrance through the opening in the stockade and captured the gun. The outer walls had now to be abandoned, and the devoted defenders retired to the rooms of the long barracks and to the church. And now commenced a series of consecutive death-struggles. There was no connection between the apartments, and each group of heroes fought and died in quick succession. For a short time, from windows and loop-holes, their rifles crack fast and viciously, and the hissing bullets strike down the foe. But their own artillery is quickly directed against them, and cannon-balls crash through door and wall, while volleys of musketry are poured in at every opening.

[19] 'On the north battery of the fortress lay the lifeless body of Col Travis on the gun-carriage, shot only in the forehead.' Account of Francisco Antonio Ruiz, in *Tex. Alm.*, 1860, 80–1. Ruiz was alcalde of San Antonio de Béjar, and was on the ground immediately after the fall of the Alamo. The stories that Travis committed suicide, and that he as well as Crockett was one of the captives put to death, are utterly unworthy of credence. *Yoakum*, ii. 81; *Gould, Alamo, Cit. Guide*, 21; *Tex. State Reg.*, 1878, 30.

Then follows the bayonet charge, and fierce resistance with clubbed rifles and sharp-pointed knives. In room after room furious hand-to-hand contests are fought out to the death, till all those gallant men are stretched lifeless on the ground.

The church was the last point taken. One of the guns mounted on it had been brought to bear upon the Mexicans when they gained the large square, and did great execution, but after a few discharges all those who manned it fell under the heavy fire of the enemy. Then the church was carried by a coup-de-main, the defenders within it fighting till the last man was slain. Crockett fell between the church and the long two-story barrack. His corpse was seen by the wife of Lieutenant Dickenson[20] —her life having been spared — lying mutilated on the spot indicated.[21] Bowie had been injured by a fall from a platform, and was unable to move from his bed. He was lying in an upper room at the south-eastern extremity of the long barrack, and was bayoneted as he lay; not, however, before having killed several of the enemy with his pistols. Bonham fell while working a cannon. In less than an hour after the bugle sounded, all was over.[22] During this time Santa Anna remained at the south battery, while the bands of the whole army played the air of the murderous degüello.[23] When all danger was past he proceeded to the Álamo. Half an hour after, five captives who had secreted themselves were dragged from their hiding-places and brought

[20] Dickenson commanded a gun on the east platform of the church. The story that he endeavored to escape with his child, when all was lost, by leaping from a window, but was riddled by bullets before he struck the ground, *Potter*, in *Tex. Alm.*, 1868, 35, 37, is not worthy of credence. Mrs Dickenson, later Mrs Canning, stated to Morphis that her husband rushed into her room in the church, exclaiming, 'All is lost! If they spare you, save my child.' He then rushed out into the strife. *Morphis, Hist. Tex.*, 176.

[21] Mrs Dickenson's account in *Id.*, 177. In 1876, Mrs Dickenson, then 66 years of age, visited the scene of this tragedy, and pointed out the spot where the last man, a gunner named Walker, fell. *Linn's Reminis.*, 141–4.

[22] The writer of the glowing description of the fall of the Álamo, in *Putnam's Monthly Mag.*, iii. 179–80, is unfortunately incorrect in nearly all his details.

[23] Meaning throat-cutting; it signified no quarter.

into his presence by General Castrillon. Castrillon had some feelings of humanity, and hoped that their lives would be spared; but his Excellency was of a more tigerish nature. Severely reprimanding him, he angrily turned his back, whereupon the soldiers, though already drawn up in line, fell upon the unarmed men and despatched them.[24] Of all those who had been besieged in the Álamo, the lives of six were spared. Mrs Dickenson and Mrs Albury of Béjar, with their two children, a negro servant-boy of Travis, and a Mexican woman, were not slain. Mrs Dickenson was supplied with a horse and allowed to depart, the bearer of a proclamation from Santa Anna. The negro was placed under guard, but escaped.[25]

The right of burial was denied the fallen Texans. Their bodies were piled in layers, with wood and dry brush between; on this funeral-pyre more fuel was heaped, and then it was set on fire. The number of corpses burned in this holocaust was 182.[26] On Febru-

[24] Caro was an eye-witness to this atrocity, and can be relied upon as to the number of the victims, and the particulars of their slaughter. He says: 'Todos presenciamos este horror que reprueba la humanidad, pero que es una verdad evangélica.' *Verdad. Idea*, 11. Gen. Houston, in a letter of the 11th, erroneously states that seven men were thus put to death. *Tex. Alm.*, 1868, 36.

[25] *Potter*, in *Tex. Alm.*, 1868, 36; *Caro, Verdad. Idea*, 11; Mrs Dickenson's accounts in *Morphis, ut sup.*, 176, and *Linn*, 144. Mrs Dickenson was fired at and wounded while passing out of the Álamo, escorted by a Mexican officer. The escaped negro was met by her lurking in the bush a short distance beyond the Salado. It should be mentioned that a Mexican, named Anselmo Bogarra, who was with the garrison to the last, escaped, and leaving Béjar on the evening after the fall of the Álamo, reported the event to Gen. Houston, then at Gonzalez. *Linn*, 141; *Tex. Alm.*, 1868, 36. In 1878 an aged Mexican, named Brigido Guerrero, applied to the county court of Béjar county for a pension as a survivor of the Álamo. His story was that he was one of the soldiers under Travis, and when the enemy had gained the enclosure, entered the room occupied by the women, who concealed him under some bedding, where he remained till night, when he made his escape. His veracity was doubted by many of the early inhabitants, but he offered the court such strong evidence that he was placed on the pension list. *Gould, Álamo City Guide*, 22.

[26] *Account of Ruiz, ut sup.* 'I was an eye-witness, for, as alcalde of San Antonio, I was with some of the neighbors collecting the dead bodies and placing them on the funeral-pyre.' Mrs Dickenson also states that the number of the Texans was 182. *Morphis*, 176. There is some doubt as to the exact number of the garrison before its destruction. Yoakum and Potter say it was 188, though the latter appears to be in doubt. Caro, *ut sup.*, states that the enemy numbered 183 at the time of the assault. It is not improbable that during the siege several couriers were sent out by Travis and cut off by the enemy. Capt. John W. Smith was the bearer of his letter of March 3d

ary 25, 1837, the ashes and a few remaining bones were collected by Colonel Seguin and his command, were placed in a coffin, and interred with military honors near the spot where the 'heroes of the Alamo' fell. In after years a small monument was made from stones taken from the ruins of the fortress, and placed in the entrance to the state-house at Austin. On it are inscribed the names of 166 of the slain.

What the loss of the Mexicans was will never be accurately known. Santa Anna, to magnify the glory of his dearly bought victory, reports it as 70 killed and about 300 wounded:[27] General Andrade's official returns give 60 killed and 251 wounded.[28] But these figures are utterly unreliable. Much more trustworthy are those supplied by Ramon Martinez Caro, who was Santa Anna's secretary. He states that over 300 Mexicans lay dead on the ground, and that probably 100 of the wounded died.[29] Alcalde Ruiz, who superintended the burial of the dead, asserts that there was not room sufficient for them in the grave-yard, and that he ordered some of them to be thrown into the river, which was done. "Santa Anna's loss," he says, "was estimated at 1,600 men." Anselmo Bogarra, who left San Antonio on the evening after the occur-

to the president of the convention. *Gould, Alamo City Guide*, 18. Gould states that Travis proposed on March 4th to surrender on condition that the lives of himself and comrades should be saved, and that Santa Anna replied, 'You must surrender at discretion without any guarantee, even of life, which traitors do not deserve.' p. 19. This is in accordance with Filisola's statement, who, however, only mentions it as a report. 'Se dijo que Travis Barret. . .por medio de una mujer hizo proposetas al general en gefe, que rendiria las armas yel fuerte,' etc. *Mem. Fej.*, 1849, i. 9.

[27] He shows such contempt for the truth as to assert that more than 600 Texans were slain, and that the attacking force was only 1,400 in number. Copy of his official report in *Id.*, i. 15–17. His equal in lying is Maillard, who asserts that the garrison numbered 450 men. *Hist. Rep. Tex.*, 101–3.

[28] *Filisola, ut sup.*, 12.

[29] *Verbal Telet.* 10. Speaking of Santa Anna's report that over 600 Texans fell, he says: 'I must state that I myself drew it up, putting down the number ordered by his Excellency,' adding, 'pero ahora se habla la verdad, y en consequencia no fueron mas que los citados ciento ochenta y tres.' p. 11. Doctor Barnard, who afterward tended on some of the wounded, about 160, mentions that he saw in the streets 200 or 300 more who were crippled, and that citizens informed him that 300 or 400 had died of their wounds. *Lino's Rem.*, 177. The Mexican surgeons informed him that 400 men had been brought into the hospitals on the morning of the assault.

rence, reported to General Houston that 521 Mexicans were killed and as many wounded. Potter considers that this number probably represented the total casualties. General Bradburn was of opinion that 300 men were lost in this action to the service, including those who died of their wounds and the permanently disabled. Whatever the loss was, there can be no doubt that it far exceeded in number the defenders.

While these events were occurring, the convention had assembled and the independence of Texas was declared.

Separation from Mexico had gradually taken a firm hold on the minds of all The question had even been put to the vote at the consultation, and though lost by a large majority,[30] the necessity of the step became daily more apparent. A decided move in the direction of independence had been made as early as December 20, 1835, by the troops and citizens at Goliad, headed by Captain Dimit, who on that date attached their signatures to a formal declaration of independence, drawn up in a spirited proclamation.[31] As such declaration could only be made by a popular representation of the people, the action was premature and unwarranted, but it aroused general attention. Moreover, Austin writing from New Orleans in January 1836, urged that the independence of Texas should be proclaimed,[32] and other leaders were equally decided on the matter.[33]

[30] Ayes, fifteen; noes, thirty-three. *Journals of the Consult.*, 18–19.

[31] The number of signers is 91. On the 22d a committee was appointed to attend to the printing and circulation of the proclamation. Full text will be found in *Tex. Alm.*, 1860, 76–9. It was taken from the *State Gaz.*, 1852, which copied it from the *Texas Republican*, published at Brazoria, Jan. 13, 1836, and said to have been the only copy in existence.

[32] In a letter to Gen. Houston, dated Jan. 7th, he says: 'Were I in the convention I would urge an immediate declaration of independence;' and again, in one of Jan. 17th to D. C. Barret, chairman of the council, he writes: 'The whole nation of all parties is against us; they have left us but one remedy—independence. It is now necessary as a measure of self-defense.' *Foote*, ii. 195–7.

[33] Houston said that he felt confident that but one course was left for Texas to pursue, and that was an unequivocal declaration of independence. Letter to John Forbes, Jan. 7, 1836; *Yoakum*, ii. 55.

Thus the delegates to the convention when they assembled, March 1st, were unanimous in their opinion; nor did they lose time. The convention having organized, Richard Ellis being chosen president, and H. S. Kimball secretary, on the 2d it solemnly declared political connection with the Mexican nation forever ended, and that the people of Texas constituted a free, sovereign, and independent republic, fully vested with all the rights and attributes properly belonging to independent nations. This declaration of independence was signed by fifty-eight delegates, three only of whom—namely, Antonio Navarro, Lorenzo de Zavala, and Francisco Ruiz—were Mexicans.[34] The statement of grievances was based upon the changes made in the government by Santa Anna, and the establishment of a combined despotism of the sword and priesthood, in the place of the constitution under which the immigrants had settled in Texas. Particular instances of tyranny and of failure to provide for the welfare of Texas are enumerated. The rejection of the petition for a separate state government; the imprisonment of Austin; the failure to establish trial by jury and a public system of education; arbitrary acts of oppression on the part of military commandants; the dissolution by force of arms of the state congress of Coahuila and Texas, thereby depriving the people of the right of

[34] The following were the signers, Stephen W. Blount; B. Ellis; C. B. Stewart; James Collinsworth; Edwin Waller; A. Brigham; John S. D. Byrom; Francisco Ruis; J. Antonio Navarro; William D. Lacy; William Menifee; John Fisher; Matthew Caldwell; William Motley; Lorenzo D. Zavala; George W. Smyth; Stephen H. Everett; Elijah Stepp; Claiborne West; William B. Lontes; M. B. Menard; A. B. Hardin; John W. Burton; Thomas J. Gazley; B. M. Coleman; Sterling C. Robertson; George C. Childress (Childers); Bailey Hardiman; Robert Potter; Charles Taylor; John S. Roberts; Robert Hamilton; Collin McKinney; A. H. Latimore; James Power; Sam Houston; Edward Conrad; Martin Palmer; James Gaines; William Clark, Jr; Sydney O. Pennington; Samuel P. Carson; Thomas J. Rusk; William C. Crawford; John Turner; Benjamin Briggs Goodrich; James G. Swisher; George W. Barnet; Jesse Grimes; E. O. Legrand; David Thomas; S. Roads Fisher; John W. Bower; J. B. Woods; Andrew Briscoe; Thomas Barnett; Jesse B. Badgett; H. S. Kimble, secretary. *Tex. Laws Rep.*, 1838, i. 6-7. In *Niles' Reg.*, lviii. 195, the list of names is supplied with the place of nativity of each individual; but Samuel A. Maverick and J. W. Moore appear in the places of Thomas Barnett and Samuel P. Carson.

representation; piratical attacks on Texan commerce; the denial of religious tolerance; invasion of the country for the purpose of driving the colonists from their homes; and inciting savages to massacre inhabitants on the frontiers, were set forth as the prominent causes of separation.[35]

The invasion of Texas by Santa Anna necessitated immediate attention to the formation of an army. On the 4th Houston was unanimously reappointed commander-in-chief, with authority over all regulars, volunteers, and militia in the field, the point of his headquarters being left to his own discretion. All able-bodied males between seventeen and fifty years of age were made subject to military service, and an official was appointed for each municipality to form a list of all such within its district. Names were to be drawn by lot till the number called for at any time was filled, and the men so drafted were to serve for a term not exceeding six months. In order to retain and attract foreign volunteers, lands to an increased extent were promised. To those already in service, and who should so continue till the end of the war, 1,280 acres were granted; 640 acres for six months' service, and 320 acres for three months' service. All those who should thereafter volunteer and serve during the war would receive 960 acres.[36] Moreover, an appeal for sympathy and aid was sent to the people of the United States.

Executive ordinances were adopted March 16th, preliminary to the establishment of the constitution which the convention had been diligently occupied in draughting. These provided for the organization of a provisional government, with plenary powers in all matters save legislative and judicial acts. This gov-

[35] Copies of the declaration will be found in *Id.*, 1. 99–100; *Holley's Tex.*, 236–41; *Sen. Doc.*, 24th cong., 1st ses., vi., no. 415, pp. 3–18; *Tex., Address of W. H. Wharton*, 49–53; *Tex., Laws Rep.*, 1838, i. 3–7. The Mexican government in a manifesto to the Mexicans, July following, calling upon them to unite in subjugating Texas, denied her right to separate, and charged her people with black ingratitude. *Mex. Manif. del Cong.*, 1836, sm. 4to, pp. 20.

[36] *Ordinances of the Cong.*, March 12 and 17, 1836.

ernment was to consist of a president, vice-president, a secretary of state, and one for each of the departments of war, the navy, and the treasury, and an attorney-general, all of whom were to be elected by the convention. It was authorized to negotiate a loan not exceeding $1,000,000, and appropriate the funds of Texas to the defence of the country; also to issue writs of election for members of congress, to enter into negotiations and treaties with foreign powers, and to appoint commissioners to the same.[37] Forthwith David G. Burnett was elected president; Lorenzo de Zavala, vice-president; Samuel P. Carson, secretary of state; Thomas J. Rusk, Robert Potter, and Bailey Hardiman, secretaries of war, the navy, and the treasury, respectively; and David Thomas, attorney-general. Having taken the oath of office, the members of the government at once entered upon their respective duties. On the 17th the constitution was adopted and signed by the delegates. The convention then adjourned sine die. I append below a synopsis of the constitution,[38] in which the reader will

[37] *Exec. Ord.*, in *Kennedy*, ii. 502–4.

[38] Copies of the constitution will be found in *Id.*, ii. 505-22; *Tex., Laws Rep.*, i. 9-25; *Tex., Repealed and Obsolete Laws*, 5–14. It divided the powers of the government into the usual three departments of the legislative, executive, and judicial, the first being vested in a congress composed of a senate and house of representatives. The powers of the executive and congress were defined and rules laid down for their government. The judicial power was vested in one supreme court, and inferior courts established by congress from time to time; the republic was to be divided into convenient counties; and congress was to introduce by statute the common law of England, with such modifications as circumstances might require. In criminal cases the common law was to be the rule of decision. Slaves for life were to remain in like state of servitude. Congress could have no power to emancipate slaves, nor could any slave-holder manumit his slaves without the consent of congress. No free African could reside permanently in the republic without similar consent; the importation of Africans or negroes into the republic, excepting from the U. S., was prohibited, and declared to be piracy. Head rights were defined, to each head of a family who had not received his portion of land one league and a labor being assigned, and to every single man of 17 years and upwards, one third of a league; additional grants were to be made in favor of colonists, married and single, already settled, so as to raise the quantity of land received by them to the above standards respectively. The land system was to be suspended till those serving in the army had a fair and equal chance with those remaining at home to select and locate their lands, and a general land-office was to be established. The constitution was made subject to amendments proposed by congress, which were to be submitted to the people for approval. The document concludes with a declaration of political and civil

not fail to notice the stringent regulations laid down for the firm establishment of slavery in Texas—measures strikingly in contrast with the more enlightened legislation of the Mexican government on the same question.

Houston's speech at Refugio, mentioned in the last chapter, produced such an impression upon the volunteers that most of them abandoned Grant and Johnson, whose force was thereby reduced to little over sixty men.[39] Indeed, to persevere in a descent on Matamoros would have been madness, as it was presently known that considerable forces of the enemy were concentrated at that place. It was now a question of self-defence, and Colonel Fannin, who arrived at Goliad soon after Houston's departure, actively engaged himself in preparing to resist the expected invasion. He at once proceeded to organize the troops, who were almost to a man volunteers from the United States,[40] and on February 7th an election was held for the appointment of colonel and lieutenant-colonel, Fannin and Major Ward of the Georgia volunteers, respectively, being almost unanimously elected. The erection of a fortress called Defiance at Goliad was commenced, and was expected to be completed by March 3d. Writing on the 1st of that month, Fannin says: "I have 420 men and as many spare muskets, but no men to back them."

rights. Religious tolerance, freedom of speech and the press, and personal rights were guaranteed. In criminal prosecutions the accused was to have the right to be heard. No titles of nobility or hereditary privileges could ever be granted. The right of trial by jury was to remain inviolate, and the privilege of habeas corpus was not to be suspended except in cases of rebellion or invasion. No person could be imprisoned for debt in consequence of inability to pay; treason was defined; and perpetuities and monopolies were not to be allowed.

[39] *R. R. Brown's Account*, in *Tex. Alm.*, 1859, 134. Brown accompanied Grant to the time of his death, and I consider his statements reliable. *F. W. Johnson*, in *Baker's Tex.*, 81.

[40] Fannin bitterly complains in his letters to the government of the disinclination of the citizens of Texas to muster in the ranks, and the destitute condition of the U. S. volunteers, many of whom were naked and barefoot. Writing on Feb. 14th, he says that he could find but some half-dozen citizens of Texas in the ranks. *Foote*, ii. 202, 207.

Meanwhile disaster fell upon Grant and Johnson. These leaders proceeded to San Patricio with a force of less than 100 men, where they received information from Fannin, then at Matagorda Bay preparing for the expedition against Matamoros. This was in January, and the undertaking had not yet been abandoned. At Velasco was a large number of volunteers, and Fannin was attending to their transportation to Refugio. Being instructed by him to collect as many horses as possible, Johnson and Grant divided their command into two parties, one of which, under the latter, proceeded toward the Rio Grande in quest of horses, while Johnson remained at San Patricio with the other. When about sixty miles from San Patricio, Grant's party captured Captain Rodriguez and sixty-six Mexican soldiers, who were in charge of 300 or 400 horses collected for the forces at Matamoros. The prisoners were released from confinement under parole; they decamped, however, on the first opportunity. The horses were taken to San Patricio. Grant, with Johnson in company, started on another scouting expedition almost immediately; when near Sal Colorado the command divided, Johnson returning, while Grant pushed his way to the Rio Grande in pursuit of a large band of horses driven by fifty Mexicans. Having taken a considerable number of the animals at the river, Grant returned on his way back to San Patricio, and arrived at the Agua Dulce, within twenty miles of the place, unmolested. Making an early start on the morning of March 2d, the party had not proceeded far before it was suddenly surrounded by several hundred Mexican dragoons, commanded by Urrea in person, that issued from two belts of timber between which Grant was passing. Nearly all his men were shot down or lanced, Grant and Reuben R. Brown in a few minutes considering themselves the only survivors. The firing stampeded the captured horses, which broke the line of the dragoons, and Grant

and Brown following in their wake, endeavored to escape. The race for life was continued for six or seven miles, till at last, overtaken and surrounded, the pursued men dismounted, determined to sell their lives as dearly as possible. Grant fell pierced by several lances, after having shot dead a Mexican who had lanced Brown in the arm. A moment after, the latter was lassoed and dragged to the ground. Brown was conveyed to San Patricio, then in possession of the Mexicans, where his life was saved by the interposition of a priest and a Mexican woman. Thence he was sent to Matamoros, where again he was spared through similar intercession. On both occasions he had been led forth for execution. He eventually succeeded in escaping, through the assistance of outside friends, in the latter part of December of the same year, and arrived at Guadalupe Victoria about the 1st of January, 1837.[41]

As already stated, San Patricio had fallen into the hands of the enemy before the destruction of Grant and his party. Urrea had arrived at Matamoros on January 31st. There he remained till February 18th, when, having already passed his forces over the river, he proceeded on his march to meet the Texans, of whose intentions against Matamoros he was well informed. His command consisted of the infantry battalion of Yucatan, in number 350 men, about the same number of dragoons drawn from Cuantla, Tampico, Durango, and Guanajuato, and several companies of permanent militia; in all between 900 and 1,000

[41] This account of Grant's raid and death is taken from Brown's narrative in *Tex. Alm.*, 1859, 134–7, and that of F. W. Johnson in *Baker's Tex.*, 80–2. Brown's statement regarding Grant's death is corroborated by Urrea, who says that Grant and 41 riflemen remained dead on the field. *Diario, Camp. de Tej.*, 10. The absurd story told by Yoakum, that Grant was wounded, and taken prisoner to San Patricio, where, after ministering to the wounded of the enemy for three weeks, he was tied Mazeppa-like to the back of a wild mustang and mangled to death, is an instance of the most confiding credulity on the part of that author. *Hist. Tex.*, ii. 84–5. Brown mentions the escape also of Plácido Benavides, a Mexican, and Johnson that of Plaude and William Innlock. Their accounts are the most reliable ones of this event, and bear every mark of truthfulness.

men,[42] about 200 of whom were left at Matamoros to follow later. Though ill supplied with provisions, he pushed forward toward San Patricio, the weather being very severe, and causing much suffering.[43] At three o'clock in the morning of the 27th, he arrived at San Patricio, and half an hour afterward, in the midst of a storm of rain, assaulted the barracks, which, after an obstinate resistance on the part of the garrison, commanded by Pierce, was carried, and the defenders to the number of forty put to death or shot, afterward. Johnson with three companions, Daniel J. Toler, John H. Love, and James M. Miller, escaped. The house which they occupied was surrounded, and they were ordered to make a light. A few minutes afterward firing opened in front, and the Mexicans in the rear of the house moved away; whereupon Johnson and the others escaped by the back door and made their way to Refugio. A Frenchman, who had secreted himself, was granted his life.[44]

After the destruction of Grant's command, Urrea returned to San Patricio, and on March 7th he was joined by the troops that had been left at Matamoros. On the 13th he marched against Goliad, and on the following day, having learned that the mission of Refugio was occupied by a strong detachment of Fannin's force, turned aside to attack the place. Refugio was distant from Goliad between twenty and thirty miles, and a few days previously Fannin had sent Captain King and his company[45] thither to bring off

[42] These figures are supplied by Potter, who was in Matamoros at the time and counted the troops. *Tex. Alm.*, 1868, 31-2. Filisola, ii. 402, says 600 men. Urrea states that his force was 320 infantry and 230 dragoons. *Diario, Camp. de Tej.*, 7.

[43] On the night of the 25th an icy wind blew, but Urrea kept his troops on the march, and six of the Yucatan soldiers died from the cold. *Id.*, 8.

[44] *Johnson's Account, ut sup.* Urrea states that 16 of the defenders were killed and 24 made prisoners. His own loss was one dragoon killed, and four wounded! *Diario, Camp. de Tej.*, 9.

[45] Fannin's force at this time was about 500 men, consisting of volunteers from Georgia, Alabama, Tennessee, Kentucky, Mobile, and New Orleans. It was divided into two battalions, the Georgia and the La Fayette. The first consisted of Ward's and Wadsworth's company, and Capt. Ticknor's company

some families there who were in much alarm at the appearance of Mexican troops in the vicinity. King's force numbered in all only twenty-eight men, and at the mission he was confronted by a strong body of the enemy. Whereupon he sought protection in the church, a strong stone building, and sent an express to Goliad for a reënforcement. Ward was accordingly sent with 120 men to his assistance, and reached the mission on the day before Urrea's assault upon it. It appears that King and Ward had a dispute as to who should command, the former claiming the priority on the ground of his having been sent first, and that Ward had been despatched to him as a reënforcement. The result was, that King, with his company and eighteen of Ward's men, withdrew early on the 14th,[46] and took up a position in a wood, where he was cut off, attacked, and himself and nearly all his men killed, or captured and shot during that and the following day.[47] Meantime three fierce assaults were made upon the mission, but were repulsed with great slaughter, the besieged reserving their fire until the enemy approached within close range.[48] These repeated attacks,

of Montgomery, Alabama, about 250 strong. The second battalion consisted of the New Orleans Grays, Capt. Pettis; the Mustangs of Kentucky, Capt. Duval; Mobile Grays, Capt. McManeman; Louisville and Huntsville, Tennessee, volunteers, Capt. Bradford; Capt. King's company; and the Red Rovers from Alabama, Capt. Shackleford. There was also a part of Capt. Horton's company, and a regular company of artillery, Capt. Westover. *Shackleford's Account*, in *Foote*, ii. 228, 235, 244; *S. T. Brown's Account*, in *Tex. Alm.*, 1860, 84; *Telegraph and Texas Register, 1836*, in *Id.*, 88–91.

[46] This is Brown's statement. *Id.*, 85. See also *Baker's Tex.*, 144; *Linn's Rem.*, 199. Another version—also by a participator in the events—is that King was sent forward to reconnoitre, preparatory to commencing the return march. *Foote*, ii. 249.

[47] All but two, who made their escape, were shot. *Hardaway's Statement*, in *Id.*, 256. According to Kennedy, ii. 201–2, the captives were shot by order of Urrea; Thorn saw their mangled remains. Col Francisco Garay states that in the attack five men were killed and two taken prisoners, and that on the following day 36 more of the band were captured, their ammunition having been exhausted. *Filisola*, ii. 412–13. This author states that Urrea caused about 30 prisoners to be shot, and defends his action. *Id.*, ii. 418–19. Another statement—by E. N. Hill, an eye-witness—is to the effect that King's company with a few of Ward's men remained at the mission and surrendered on the morning after Ward's departure. They were all shot with the exception of one man, on the road to Béjar, about a mile from the mission. *Tex. Alm.*, 1860, 72.

[48] The loss on the part of the Mexicans was severe, but is greatly exaggerated by Texan accounts. Brown says that between 400 and 500 of their

however, almost exhausted the ammunition of the Americans, and Ward, having received a despatch from Fannin ordering him immediately on its receipt to return to Goliad at all risks,[49] effected his escape through the enemy's lines during the night, and directed his course to Victoria. In his retreat Ward marched through woods and swamps where cavalry could not pursue him. On the 19th the Americans crossed the San Antonio and proceeded toward Victoria, where they expected to find Fannin. The town, however, was already in possession of the enemy, and on their approach they were attacked by a force of 500 or 600 cavalrymen. Firing their last three rounds of ammunition, they retreated into the Guadalupe swamp, where they passed the night. On the next day, March 22d, not having a shot left, they surrendered as prisoners of war,[50] against the advice of Ward, who even in these desperate circumstances would have preferred to take the chance of escape to trusting to the faith of a perfidious foe. But the vote of the companies decided the question by a large majority, and the prisoners were marched to Goliad, there to increase the number of victims soon to be sacrificed by order of the inhuman Santa Anna. Fannin and his command had fallen into the hands of the enemy!

Houston, on March 2d, had issued a proclamation announcing the declaration of independence, and calling on the citizens of Texas to rally, as war was raging

dead were left upon the field. *Tex. Alm.*, 1860, 85. Another eye-witness states that 'the acknowledged Mexican loss was 400 killed and wounded;' and a third, that it was believed to be not less than 200. *Foote*, ii. 252, 256. Authorities on the other side go into the opposite extreme. Urrea gives his loss as 11 killed and 27 wounded; Filisola indorses this statement, remarking that Garay's assertion that there were 13 killed and 43 wounded is incorrect. ii. 412, 414. The Texans had none killed, but three men were severely wounded.

[49] This despatch was intercepted by Garay, but the courier was allowed to proceed with it in order that Ward might leave his position. *Id.*, ii. 413–14; *Tex. Alm.*, 1860, 85.

[50] *Brown's Statement*, in *Id.*, 85–6. Urrea asserts that Ward surrendered at discretion. *Diario*, 19–20.

on the frontier.[51] Appointing Gonzalez as the point of headquarters of the army, he hastened thither and arrived on the 11th. Including a company of Kentucky volunteers, nearly 400 soldiers had assembled, but they were without organization, and inadequate to oppose the enemy, who was already moving into the interior of the country.

News of the slaughter at the Álamo reached Gonzalez on the day of Houston's arrival, and orders were sent forthwith to Fannin, instructing him to fall back to Guadalupe Victoria, and place it in a state of defence.[52] On the 12th Mrs Dickenson reached the place, and confirmed the mournful tidings, adding many terrible details of the event. The inhabitants were panic-stricken. There was hardly a household in the town that had not to mourn the loss of a father, a son, a brother, or other relative. Not less than twenty widowed mothers bemoaned their husbands' deaths. The families of the citizens who had fallen abandoned themselves to grief and despair, and the inhabitants began to flee. The panic was contagious, and many who had assembled in arms returned to their homes to provide for the safety of those whom they had left behind.[53] With no force capable of repelling the enemy, Houston decided to retreat, and having thrown his artillery, consisting of two brass 24-pounders, into the river, began his march just before midnight of the 12th. On his departure the town was set on fire and reduced to ashes.[54]

Santa Anna, having received despatches from Urrea, informing him of the capture of San Patricio and the destruction of Grant's party,[55] regarded the

[51] Copy in *Foote*, ii. 265–6.

[52] Copy in *Yoakum*, ii. 472.

[53] *Capt. Sharpe's Statement; Foote*, ii. 268; *Thrall*, 256; *Houston's Letter to Collingworth*, Mar. 15, 1836, in *Yoakum*, ii. 475–6.

[54] There is little doubt that Houston gave verbal orders to burn the town, that it might not afford shelter to the Mexicans. His defenders claim that he did not do so, but the evidence tends to a contrary conclusion. Consult *Sharpe's Narrative*, in *Foote*, ii. 268.

[55] He received the despatches on the 3d and 7th of March, respectively. *Almonte's Journal*, in *Kennedy*, ii. 184, and *Filisola, Represent.*, 8–9.

war as ended, believing that no further opposition would be made by the Texans. He accordingly made his dispositions to occupy the country with his army. On March 11th generals Sesma and Woll, with the battalions of Aldama, Matamoros, and Toluca, and fifty cavalrymen, in all 725 men, supported by two pieces of artillery, were sent to take possession of San Felipe, and thence proceed by Harrisburg to Anáhuac. On the same day Colonel Morales, with the battalions of San Luis and Jimenez, a twelve and an eight pounder, and a mortar, marched for Goliad. Owing to information received from Sesma and Urrea, relative to the forces of the enemy, on the 16th General Tolsa was despatched, with two more battalions and forty horse, as a reënforcement to Sesma; and Colonel Cayetano Montoya, also with two battalions and a twelve-pounder, to aid Urrea.

Fannin received Houston's despatch on the morning of March 14th,[56] and at once made preparations for his departure. An express was sent to Ward, ordering his immediate return, as we have seen; another was despatched to Colonel A. C. Horton at Matagorda, instructing him to join the main body as soon as possible; and a third to Captain Samuel A. White, calling upon him to hasten up carts and wagons, and order a supply of ammunition to be sent up the Colorado for the army.[57] All these letters were intercepted; nevertheless Horton arrived at Goliad on the 16th with twenty-seven mounted men. The guns were dismounted, and such as were not transportable were buried. And now occurred a fatal delay. Fannin waited for the return of Ward and King, not for one but several days. Courier after courier was sent with instructions, but still no news

[56] 'On the morning after Ward left Goliad...Col Fannin received Gen. Houston's order to evacuate Goliad and fall back on Victoria.' *Shackleford's Statement*, in *Foote*, ii. 229. Shackleford errs, however, in saying, page 228, that Ward was sent to King's relief on the night of the 14th. Ward left Goliad on the 13th.

[57] *Translations in Spanish*, in *Urrea, Diario*, 57–8.

was received of the detachment. The message all fell into the hands of the enemy. On the 16th a fourth messenger was despatched, and still Fannin lingered, so great was his anxiety to learn the fate of Ward and King, and his unwillingness to abandon them in their dangerous position. His yielding to this generous impulse was a fatal mistake. On the 17th Horton was sent to reconnoitre in the direction of San Antonio, and returned to report that a large force was advancing slowly and in good order upon Goliad. It was Morales sent by Santa Anna from Béjar. Not till the 17th did Fannin obtain any intimation that Ward's detachment had been hopelessly cut off,[58] and on the 18th the enemy appeared in force on the opposite side of the river, near the old mission. Horton, being sent across with what mounted men he could collect, made a furious charge, and drove the Mexicans into the timber, where they were supported by a strong body of infantry. He then fell back in good order. The same day Urrea joined his forces with those of Morales, numbering 500 men. His position was about a league to the north of Goliad, on the Arroyo de la Manahuilla.[59] At last Fannin decided to retreat, and began so doing on the following morning. Two roads led from Goliad across the San Antonio River, the lower one being that to Victoria. This was reconnoitred by Horton, and reported clear of the foe. The march began very early, a dense fog concealing the movement. At the ford much time was lost in passing over the artillery, which consisted of nine pieces; nevertheless, the retreat was unobserved, and the Americans, in number about 300 men,[60] advanced unmolested to within about five miles of the Coleto River, the banks of which were well timbered.

[58] Captain Frazer volunteered on the 16th to ascertain the state o affairs. He returned with the news late in the afternoon of the 17th. *Doctor Barnard's Account*, published in the *Goliad Guard*, 1875, and transcribed by Linn in his *Reminiscences*, 148–82.

[59] *Urrea, Diario*, 13. Urrea's force now amounted probably to 1,200 men.

[60] Shackleford in *Foote*, ii. 234, says Fannin's force did not exceed 275 effective men. This number did not include Horton's cavalry. Urrea states that he took about 400 prisoners—an exaggeration. *Diario*, 18.

Fannin, though a brave and intrepid officer, was deficient in caution, and had too much contempt for the Mexicans, whom he could not believe would dare to follow and attack him. Unfortunately, his low appreciation of the foe was too generally shared in by his men, and as the teams were weary and weak for want of food, he halted for an hour to refresh them. The

AUSTIN'S MAP.

march was then continued four miles farther, the road lying through an oval prairie skirted by belts of timber. In front, not more than a mile and a half distant, was the Coleto, the goal of safety, with its sheltering woods, and on right and left, four or five miles away, was the forest. And now, from a skirt of timber two miles distant toward the west, the enemy's cavalry emerged, and rapidly took up a position on the front and right, while from the same quarter his infantry

presently issued, and deliberately deployed on the left and rear. The Americans were completely surrounded.

Urrea, unconscious of the enemy's movements, had leisurely prepared to lay siege to Fort Defiance. When, however, he discovered that it had been evacuated, he hastened to repair his mistake, and went in pursuit with his cavalry, and a portion of the infantry, instructing Colonel Garay to occupy the fort, and then send forward the artillery and the remainder of the troops. The pursuit began at eleven o'clock, and before two in the afternoon the Americans were overtaken and their advance intercepted.

The enemy closed around so quickly that Fannin had to abandon the attempt to reach the timber in front, and make immediate disposition for battle. He formed his men into a hollow rectangle, the artillery being advantageously placed. Unfortunately, in trying to reach a commanding eminence, the ammunition wagon broke down, and they were compelled to take up a position in a depression in the prairie six or seven feet below the surrounding plain. The companies which composed Fannin's force at this crisis were the Red Rovers, the New Orleans Grays, the Mustangs of Kentucky, the Mobile Grays, and the regular artillery. Horton had been sent forward with his cavalry to examine the Coleto crossing, and was unable to rejoin the main body when the engagement began.[61]

Some time was occupied in preparing for the battle. Though Urrea had no artillery, he decided not to wait for it, but attack at once. The Jimenez battalion, and some companies under Colonel Salas, were sent in front. Morales was placed on the left flank of the Americans, and the grenadiers and San Luis companies on the right. A strong body of cavalry was

[61] Some censure was cast upon Horton for not making an attempt to cut through the enemy. But his men failed him, and most of them rode off to Victoria, leaving him no choice but to follow. Shackleford does him justice, and says that with his whole force he could never have cut his way through such an immense number of Mexican cavalry. *Foote*, ii. 236.

stationed in the rear. The Red Rovers and New Orleans Grays formed the front line of the Americans; Duval's Mustangs occupied the rear; and the other companies were stationed on the sides.

The attack was begun about three o'clock in the afternoon by a simultaneous assault on the two sides of the square, which was somewhat protected by a barricade formed of the baggage and wagons. When the advancing foe had come within easy range, the Americans being ordered to withhold their fire, the volunteers opened upon them with rifle and artillery, causing great havoc in their ranks. Nevertheless the Mexicans pressed on with persistency, and attempted to charge with the bayonet. But the Americans had an abundant supply of weapons, and each man was provided with two or three rifles or muskets. Before their withering volleys the charge was stopped, and the baffled troops were ordered to lie down within range and only rise above the grass to fire. Urrea now attempted a charge on the rear with his cavalry, which he led in person. But men and horse were swept down by canister and rifle-bullet; the troop was thrown into confusion, halted, and retreated in disorder. The artillery was now directed against the infantry, which was compelled to retire beyond range. After this the cannons were of little service, having become too hot to load, there being no water with which to sponge them out.

As soon as Urrea could restore order in his ranks, he made a third assault. On this occasion he sought to overwhelm the devoted band by assailing it on all sides at once. His officers succeeded in urging on their dispirited troops to within fifty or sixty yards of the Texan lines, and again the bayonet charge and cavalry onset were attempted, only to be repulsed as before. An eye-witness thus describes the discomfiture: "The scene was now dreadful to behold; killed and maimed men and horses were strewn over the plain, the wounded were rending the air with their

distressing moans; while a great number of horses without riders were rushing to and fro back upon the enemy's lines, increasing the confusion among them; their retreat resembled the headlong flight of a herd of buffaloes, rather than the retreat of a well-drilled regular army."[62] The contest lasted till sunset, and in the dusk of the evening trained Indian sharp-shooters, concealed by the tall grass, crept to within easy range of the Texans, and for some time kept up a well-directed and telling fire. It was only when the darkness rendered the flashes of their fire-arms visible that the Texans could reply with effect.[63] Then the assailants were withdrawn, and the Mexican general disposed his forces around, taking every precaution to prevent escape during the night.

In this action, known as the battle of the Encinal del Perdido, and also of the Coleto, the Americans lost seven killed, several mortally and sixty badly wounded,[64] Fannin being among the latter, having received a shot in the thigh early in the fight. As in the case of all engagements fought with Mexicans, it is impossible to arrive at any accuracy with regard to their loss. Mexican generals invariably reported their casualties as far less in number than those really sustained, while Texan authorities as often exaggerate in the other direction. On this occasion Urrea's statement, that in the several severe contests—for he describes them as such—he had only eleven killed and fifty-four wounded, cannot be believed; nor are the assertions even of some American participators in the engagement worthy of more credence. They do not hesitate to state that many hundreds, one eye-witness saying 600, of the Mexicans were killed and wounded.[65]

[62] *Kennedy*, ii. 205–6.

[63] The sharp-shooters caused more loss to the Texans than they had sustained during all the previous fighting. An eye-witness states that they wounded fifty and killed four in the space of an hour. *Id.*, ii. 206.

[64] These are Shackleford's numbers. *Foote*, ii. 234. Urrea says 27 were killed and 97 wounded. *Diario*, 18. Barnard writes: 'We had 7 men killed and 60 wounded, about 40 of whom were disabled.' *Linn's Rem.*, 158.

[65] *Shackleford's Account*, in *Foote*, ii. 235; *Kennedy*, ii. 207. Doctor Barnard, who was present at the engagement, shows his good judgment in refraining

Indeed, if Texan statements as to Urrea's losses are accepted, that general would have lost over 1,000 men since he left Matamoros. The same tendency to misrepresent the numerical strength of the Mexican army is observable on both sides. The Texan authorities quoted, with the exception of Doctor Barnard,[66] swell the numbers to 1,900 and 2,000 men, while Urrea would lead us to suppose that he fought the battle with only 360 infantry and 80 cavalry.[67]

Both sides were vigilant all through the night. The Texans suffered much from thirst, but labored to strengthen their position by running, as best they could, a shallow ditch around it, and forming a barricade with the carcasses of the animals, most of which had been killed or had strayed off during the conflict. Urrea's troops kept wakefully alert, and on every side, at short intervals of time, the bugle signals rung through the night air all along the cordon of cavalrymen that encircled the doomed Americans.

The dismal night ended at last and day dawned. It was Sunday, March 20th; and before it was well light, a strong reënforcement was seen coming up to join the enemy. The position of the Americans was now perilous in the extreme. They numbered little more than 200 effective men, and these were worn out by the incessant toil and exertion they had undergone since the previous morning. Moreover, the Mexicans

from exaggeration. He says: 'The loss of the enemy I could never learn with precision. They had above a hundred wounded badly, that we [the surgeons] were afterwards obliged to attend to. Fifteen of their dead were counted within a few hundred yards of our intrenchment early in the morning, besides an officer who died shortly after. The accounts of the Mexicans themselves, of whom I subsequently inquired, varied in their statements of their dead from forty to four hundred.' *Linn's Rem.*, 163.

[66] This writer not only strives to be impartial in his statements, but shows great correctness in his estimates. He calculated the force of the enemy to be 1,730 on the morning after the engagement. He judged it to be about 500 strong when the attack began, and not less than 1,000 at the end of the day, while in the morning a reënforcement of 300 or 400 men arrived. *Id.*, 157, 160. These numbers are nearly correct, although probably still too high. Assuming that Urrea left Matamoros with 1,000 men, his total strength with Morales contingent would be 1,500; and bearing in mind that he had left detachments at San Patricio, Refugio, and Goliad, besides incurring losses, it is not likely that he had more than 1,200 men on the 20th.

[67] *Urrea*, 14.

were now provided with two pieces of artillery, and presently began to fire grape and canister. The men were still confident that they could fight their way through the foe to the timber, but in that case the wounded would have to be abandoned, and honor and humanity forbade their being left to the mercy of the enemy, who had so lately shown such barbarity by the massacre of King's party and the defenders of San Patricio. The question of surrender was therefore agitated, and submitted to the companies by their respective officers after they had consulted. It was generally agreed that if an honorable capitulation could be obtained, they would lay down their arms as prisoners of war. A white flag was accordingly hoisted, and Colonel Salas, Lieutenant-colonel Holsinger, and Adjutant José de la Luz Gonzalez were sent by Urrea to confer with Fannin, who met them midway between the hostile lines. The result was that the surrender was made. It has been denied by Urrea and Holsinger that the former signed any capitulation, but the survivors of the band tell but one story, namely, that every one understood at the time that articles of capitulation were signed.[68]

On the same day such of the Americans as were able to march were sent to Goliad, the wounded arriving at the same place on the 22d. The prisoners were confined under a strong guard in the church, which was so crowded that on the 23d all except the Mexican wounded were removed, the well ones to the fort, and the wounded to barracks on the west wall. Meantime Urrea marched to Victoria, and on the 22d captured Ward and his command, as already narrated. He also made dispositions for the occupation of Cópano; and on the 23d Major Miller, with eighty-two volunteers just arrived from Nashville, was made

[68] Consult *Hist. Mex.*, v. 170–1, this series; also Holsinger's letter to Wharton of June 3, 1836, in *Caro, Verdad. Idea*, 73–8; *Urrea, Diario*, 17, 23, 58, 128–33; *Doctor Barnard's Account, ut sup.*, 161–3; *Shackleford's Account*, in *Foote*, ii. 237–9; *Kennedy, Tex.*, ii. 208–10; *Yoakum*, ii. 514–16; *Santa Anna, Manif.*, 49.

prisoner by Colonel Vara at that place on landing. All were sent to Goliad, Ward's command being brought in on the 25th.

On the outbreak of hostilities, the supreme government, in view of the notorious preparations carried on in the south of the United States, to enlist volunteers in the Texan cause, passed a law December 30, 1835, to the effect that all foreigners landing in the republic with arms in their hands should be considered pirates, and punished as such.[89] When Santa Anna was informed of the capture of Fannin and his command, he determined that this Draconian measure should be carried out to the letter. He despatched an order to Lieutenant-colonel Nicolas de la Portilla, the commandant at Goliad, commanding him immediately to execute the prisoners, and expressing his surprise that the law had not already been carried into effect. The despatch reached Portilla's hand at seven o'clock on the night of the 26th. The Americans, unconscious of their impending fate, were cheerful and buoyant with the hope of soon being sent back to their homes. Shackleford narrates that several of them on that evening played in concert on their flutes the air of "Home, sweet home."

Portilla passed a restless night, and not till morning dawned did he decide to carry out the barbarous but imperative order. The whole garrison was drawn up under arms, the prisoners were aroused from their sleep, formed into three divisions, and marched out of the town in different directions. Their questionings were satisfied with various explanations; the victims in one band were told that they were going to Cópano to be sent home; of another, that they were wanted to slaughter beeves; and the third, that room in the fort was required for the reception of Santa Anna. Four doctors and about a dozen others were not called out. It was Palm Sunday. Each line marched in

[89] Copy in *Dublán and Lozano*, iii. 114–15. All foreigners also who landed arms and ammunition for the use of the rebels were to be similarly dealt with.

double file, with a guard of soldiers on either side. Half a mile from the fort the order was given to halt; the file of soldiers on the right passed through the prisoners' line, and in a moment after, the whole guard poured in a volley upon them. Nearly all fell; a few survivors only escaped into the long grass of the prairie, some of whom, eluding their pursuers, gained the river. The first division to suffer was that which had been led out on the road to the lower ford, but the sound of distant volleys in other directions soon after told those at Goliad that the murderous work was being consummated elsewhere. For an hour after the first firing, the ring of intermittent shots smote on the ear, producing in the listener's mind a terrible picture of the flight and chase, of the hunter following his unarmed prey through the tall grass and dark weeds, of the fiendish eagerness of the one to kill and the desperate struggles of the other to escape. Over 300 victims were put to death in this cold-blooded butchery, without a warning, without a moment in which to prepare for death, send home a farewell, or even utter a prayer! Twenty-seven only escaped. Miller's company was not included in the first massacre. The wounded were dragged from the barracks an hour later and shot. Fannin was reserved till the last, and met his fate with a soldier's calmness and bearing. He gave his watch to the officer in command of the firing platoon, with a request not to be shot in the head, and to be decently buried. He was shot in the head, nevertheless, nor was he interred, his corpse being cast among the bodies of the other dead. Ward faced his death with stern anger. When commanded to kneel, he refused, and being told that by so doing his life might be spared, he still would not bend his knee. "You have killed my comrades in cold blood," he indignantly exclaimed; "I have no wish to live." A few moments later he had ceased to breathe.[70] When the slaughter was ended, the dead

[70] This description of the massacre of Fannin's command has been derived from the most reliable of sources, namely, the accounts of Shackleford and

were stripped of clothing, and the naked corpses collected into heaps; then brushwood was piled upon them and set on fire. Even this heathenish disposal of the dead was badly done, and days afterward many hands and feet unscathed by the flames were seen by Shackleford, whose eldest son and two nephews were among the victims.

The odium of this horrible deed rightly rests on Santa Anna. The officers more directly concerned showed some feelings of humanity. Their chief had none. Urrea recommended the prisoners to mercy, and received a sharp reprimand.[71] Portilla hesitated, and afterward expressed his horror and disgust at having been compelled by his duty as an officer to execute the hateful task.[72] But Santa Anna's order

Barnard, and S. T. Brown, the last being one of the Americans who escaped from the first division of prisoners. Shackleford and Barnard at the time were in Colonel Garay's quarters outside the fort, were in part spectators of the cruel scenes, and derived further particulars from eye-witnesses. The narratives of all three have been previously referred to. With regard to the number of those put to death in this massacre, Mexican and Texan authorities approximately agree. Captain Remmynose, one of the survivors, supplied to the *Tex. Alm.* of 1860, pp. 82–91, a muster-roll of Fannin's command, which he looked upon as correct, and also Brown's narrative. According to Remmynose's table, the command numbered 444 men, of whom 33 were detained for medical and other services, 26 escaped, and 385 killed on different occasions, including 20 of King's company, and 21 of Horton's. According to an extract from Portilla's diary, supplied in *Urrea, Diario*, 61–2, the number of prisoners amounted to 445, or 383 after deducting Miller's company, which, as having been taken in arms against the republic, he reserved for further instructions. Deducting from the latter figures 27, the number of those who escaped, according to Shackleford's list of their names, *Foote*, ii. 244, and 15 doctors and others who were retained in Goliad, it would appear that 341 were put to death on the morning of the 27th. This number very nearly tallies with Remmynose's figures. For if 41 of Horton's and King's command be taken from his list of killed, there remain 344, showing a difference of 24 men, which may be explained by the deaths occasioned by the battle of Coleto, and the loss sustained by Ward at Refugio, and during his retreat to Victoria. Brown, who was with Ward's command, says: 'At the time of the surrender we had only 85 men, the others having left us on the route from the mission to Victoria.' *Tex. Alm.*, 1860, 86. Yoakum, ii. 143, gives the number of killed as 350, but he only puts down eight as the number of surgeons and attendants saved.

[71] 'La respuesta de S. E. á la recomendacion del Sr de Urrea, fué una reconvencion bastante fuerte, manifestándole su desagrado, y al mismo tiempo, que no manchase sus triunfos con una mala intempestiva compasion.' *Cos, Verdad. Idea*, 13. Holzinger, in his letter to Wharton, intimates that Urrea did not intercede for the prisoners' lives, at any rate neglected to inform Santa Anna of the personal promises made to Fannin. *Id.*, 76–7. But it must be remembered that Holzinger was endeavoring to exculpate Santa Anna, who was then a prisoner of Houston's.

[72] See his diary and letter to Urrea of March 27, 1836, in *Urrea, Diario*, 62–3; *Democratic Review*, iii. 144–5; and *Yoakum*, ii. 319–20.

was peremptory, and did not conceal his angry impatience; still Portilla saved Miller's company from destruction. Colonel Garay displayed his humanity in a still more practical manner. Assuming a dangerous responsibility, he withdrew doctors Shackleford, Barnard, Field, and Hall, with some others, from the hospitals, and sent them with Miller's company to his own quarters, where he had two other men already concealed in a tent. The Señora Álvarez also concealed and saved a few of the officers.[73] But no ray of mercy or of pity illumined the dark and cruel soul of the general-in-chief. He was the incarnation of an inhumanity at once revengeful and cowardly. The slaughter of his troops at the Álamo still rankled in his mind, and he would not have spared a single life. Miller and his men would also have been put to death but for the representations of an officer who presumed to plead for them.[74]

[73] See Barnard's and Shackleford's narratives, in *Linn's Rem.*, 168, 171–3, and *Foote*, ii. 244–5. Barnard says the name of Señora Álvarez deserves to be recorded in letters of gold. Shackleford speaks of her as an angel of mercy. This was not the first or last time that she showed kindness and humanity to her country's enemies.

[74] When their case was referred to Santa Anna, he instructed his secretary, Caro, to draw up the order for their execution. This was done; but Captain Savariego, the bearer of the despatch from Goliad, had the courage to address Santa Anna on the subject of mercy, and received a sound rating for his presumption. 'Pero apénas hubo hablado, cuando recibió por respuesta tan amargas reprensiones, que salió confundido.' *Caro, Verdad. Idea*, 15. Santa Anna, however, withdrew his order and postponed his decision till he had investigated the matter. By this accidental interposition the lives of the company were saved.

CHAPTER XI.

SANTA ANNA'S HUMILIATION.

1836–1837.

ROUSTON'S RETREAT—HIS BIOGRAPHY—PANIC OF THE SETTLERS—SAN FELIPE BURNED—SANTA ANNA'S PLANS AND ADVANCE—HIS IMPETUOUS MOVEMENTS—REMOVAL OF THE GOVERNMENT TO GALVESTON—HARRISBURG IN ASHES—DISCONTENT OF HOUSTON'S ARMY—ITS ADVANCE TO THE SAN JACINTO—SANTA ANNA BURNS NEW WASHINGTON—HE MARCHES TO ENGAGE HOUSTON—PRELIMINARY SKIRMISHING—MEXICAN CARELESSNESS IN AN ENEMY'S FRONT—DISCUSSION ON HOUSTON'S TACTICS—BURNING OF VINCE'S BRIDGE—PREPARATIONS FOR BATTLE—SAN JACINTO AND SLAUGHTER—SANTA ANNA'S FLIGHT AND CAPTURE—NEGOTIATIONS FOR LIFE—FILISOLA'S RETREAT—THE TREATIES—SANTA ANNA'S DANGEROUS POSITION AND FINAL RELEASE.

NEWS of the fall of the Álamo reached Washington on March 16th, and on the 18th the government moved its seat to Harrisburg. A proclamation, however, was issued by the president, in which it was stated that this step was not taken through apprehension that the enemy was near, but had been resolved upon as conducive to the public good before any such report was in circulation.[1]

Meanwhile Houston pursued his retreat to the Colorado, where he intended to make a stand, having sent his aide-de-camp, William T. Austin, to the mouth of the Brazos for cannon and ammunition. His force at this time was about 400 men, but as fresh troops kept joining him, the army soon numbered 700. But the removal of the government to Harrisburg,[2] Hous-

[1] The same express which brought intelligence of the fall of the Álamo also reported that Houston was in rapid retreat from Gonzales. *Tex. Alm.*, 1860, 51.

[2] Houston, in a despatch to Thomas J. Rusk, the secretary of war, dated

ton's necessary retreat, and successive reports of disasters raised the panic in the country to the highest pitch. The settlers abandoned their homes, fleeing in all directions before the retreating army, or accompanying it for protection. Thus, many brave men were absent from the field, engaged in conveying their families to places of security. On March 14th, the commander-in-chief encamped near the Navidad, and on the 17th reached Burnham's place on the Colorado. Here he remained two days, which were spent in putting the families which had cast their lot with the army across the river. The troops having then passed over, he proceeded to a noted point on the left bank, called Beason Crossing, where he remained till the 26th, waiting for the artillery.[3]

As the Texan commander-in-chief is now about to enter upon a career during which his action has been severely criticised by his enemies, but which was ultimately crowned with extraordinary success, and won the independence of Texas, it will be proper to place before the reader some account of his parentage and previous life.

Samuel Houston was born on March 2d, 1793, at a place called Timber Ridge Church, in Rockbridge county, Virginia, and by a singular coincidence forty-three years after the independence of Texas was declared, on his natal day. Both his father and mother were descended from ancestors who emigrated to the north of Ireland from the Highlands of Scotland in the troublous times of the reformation in that country during the sixteenth century. After the

March 29, 1836, writes: 'Your removal to Harrisburg has done more to increase the panic in the country than anything else that has occurred in Texas, except the fall of the Alamo.' Copy in *Yoakum*, ii. 485–6

[3] On March 23d, G. W. Hockley, inspector-general of the army, wrote by order of Houston to Secretary Rusk, 'We have now upward of 700 men . . . all in good spirits and anxious to meet the foe.' But this number does not represent the force with which Houston continued his retreat from the Colorado, for on the same day he himself writes to Rusk, 'Men are flocking to camp, and I expect in a day or two to receive 200 volunteers and regulars.' 'In a few days my force will be highly respectable.' Copies in *Id.*, ii. 480–4.

siege of Londonderry, in 1690, in which they took part, they crossed the Atlantic and settled in Pennsylvania, the two families seemingly following each other in their migrations, till, at the close of the eighteenth century, we find them established in Virginia. Houston's father was possessed of only moderate means, and died in 1807, when the future founder of the Texan republic was thirteen years of age; he was a man of powerful frame, undaunted courage, and was swayed by a strong passion for military life. The mother was highly gifted with intellectual qualities, was of a most benevolent disposition, and possessed of a fortitude which the dangers that a life on the frontiers was ever exposed to could not shake. Houston inherited the qualities of both his parents.

After the death of her husband, Mrs Houston with her family of six sons and three daughters crossed the Alleghanies and settled near the Tennessee river, which was then the boundary line between the Cherokee Indians and the white race. Young Houston thus far had received little or no education, having displayed an aversion to attending school during such intervals as he could be released from labor on the farm; and now he was more than ever confined to hard work. Nevertheless he attended for a short time an academy established in that part of Tennessee, and obtained possession of several books which greatly attracted his attention. They were translations of Latin and Greek authors, and among them was Pope's Iliad. The perusal of these works excited in him an ardent desire to acquire a knowledge of the original languages, and when his application to be instructed in them was refused by his teacher, he indignantly left the institution. At home his elder brothers exercised a kind of fraternal tyranny over him, and at last compelled him to enter a merchant's store, from which he presently disappeared. After much fruitless search, the family learned at last that he had taken up his abode with the Cherokees. No

persuasion could induce the scapegrace to abandon his wild life, and he remained with the Indians till he was eighteen years of age, spending his time in chasing wild game and self-education to which he diligently applied himself.

Having contracted some small debt in purchase of articles for his Indian friends, he considered himself bound to make an effort to pay it. He accordingly left the native village and opened a school, overcoming the many difficulties which opposed him at the start. When his debt was paid he returned to his former teacher, but soon coming to the conclusion that he would never make a scholar, entered a store in Kingston, Tennessee, as clerk. In 1813 Houston, who had grown into a powerful man, over six feet high, enlisted as a recruit in the ranks of the United States' army, and was presently marched off to the Creek War. In the hard-fought battle of the Horse Shoe bend of the Tallapoosa, he displayed rare courage and fortitude. Having been appointed ensign, when the assault was made on the Indian fortifications he mounted the defences, colors in hand, and having been struck by a barbed arrow in the thigh, compelled, with his uplifted sword and threats of death, a soldier to pull the missile out. Though carried to the rear, he presently returned to the fight, and received two rifle balls in the right shoulder which completely disabled him. His recovery from these wounds was long doubtful, but his strong constitution saved him. The intrepidity which he displayed in this battle won for him the lasting regard of General Jackson, and he was made lieutenant for his gallantry.

When peace was restored Houston was appointed sub-agent to the Cherokee nation, which position he held till about 1819, when he was removed on account of a controversy in which he became involved with Calhoun, the secretary of war. He then went to Nashville and studied law, obtaining a license to prac-

tise after about eight months of assiduous study; was presently elected attorney-general of that district; and in 1821 was chosen major-general of the militia. In 1823 he was elected to congress, and reëlected in 1825. While member of congress Houston fought a duel which caused much excitement in the United States at the time. In 1826 while in Nashville he preferred some charges against the postmaster of that town, who sent him a challenge by the hands of Colonel John T. Smith, a notorious duelist from Missouri. Houston's second, Colonel McGregor, refused to receive the challenge through such hands, and Smith retired. The postmaster's communication had been offered and rejected in the presence of a large number of persons, among whom was General William White, who could not refrain from remarking that he did not think proper courtesy had been extended to Smith. Houston overheard the remark and expressed himself ready to give White, if he had any grievances, any satisfaction he might demand. The result was a challenge from White, and the meeting took place in Simpson county, Kentucky, September 23, 1826. White was dangerously wounded, being shot through the body just above the hip. He, however, recovered; Houston was untouched.[4]

In 1827 Houston was elected governor of Tennessee by a large majority. But ere long a domestic calamity changed the whole tenor of his future life. In

[4] The particulars of this duel are derived from the account by Col Willoughby Williams, of Tennessee, published in the Louisville *Courier Journal*, and reproduced in the San Francisco *Post*, Apr. 17, 1878. Major Framan, in his *Field of Honor*, 284–5, states that White brought the challenge, and it not being accepted insulted Houston: hence the duel. This writer relates as authentic the following story. At the house where Houston was staying during the week preceding the duel were a game-cock and a pugnacious little dog named 'Andrew Jackson,' both of which he greatly admired and petted. Early in the morning of the meeting he was awakened by the barking of 'Andrew Jackson.' Houston arose and began to mould bullets for the occasion. As the first bullet fell from the mould he was greeted by the crowing of the game-cock: whereupon he marked one side of it for the dog and the other for the fowl, determining that that particular ball should be the first to be fired by him at his opponent. The bullet was used, and White fell. After the duel Houston assumed a game-cock and a dog as a coat-of arms. *Id.*, 329–30.

January 1829, he espoused a daughter of a wealthy and influential family in Tennessee. For a reason, into the explanation of which Houston never condescended to enter, the husband and wife shortly after their marriage separated forever. There is little doubt, however, that Houston discovered that his affection was not reciprocated; yet with true magnanimity, he fully exonerated his wife from all blame in the matter, regarding it as a misfortune and not as a fault of hers. But the blow struck hard. Houston sent in his resignation of the governorship to the secretary of state by Colonel Williams, and in disguise left the country, a self-exiled man. Ascending the Arkansas river he again sought a home among the Cherokees, who by this time were in an eastern portion of what is now Indian territory. He was kindly received, and in October 1829, was admitted to all the rights and privileges of that nation. In 1832 he went to Washington to remonstrate against frauds practised by the United States' Indian agents, which resulted in the removal of five of them. This involved him in personal quarrels, and a rencounter occurred between him and W. R. Stansbury, a representative in the house from Ohio. Stansbury was severely beaten. Houston was arrested, tried for assault, and fined $500 The sentence, however, was not enforced by the court, and President Jackson afterward remitted the fine. In December of the same year Houston went to Texas and, as the reader is aware, was one of the delegates to the convention which assembled April 1st, 1833, at San Felipe. Such was the previous career of the man whom the fates now called upon to guide the destiny of Texas.[5]

Almost simultaneously with Houston's arrival at

[5] *Lester's Houston and his Rep.*, 8–47; *Tex. Alm.*, 1859, 119–25; *Cordova's Tex.*, 178–9; Houston, Life of, 17–70; *Quarterly Rev.*, v. new ser., 317; *Wilson, Rem. by a "Mier Prisoner's" Widow*, 12; *Thrall*, 555 et seq.; Oakland *Times*, Cal., Apr. 17, 1878; *Amer. Cyclop.* ix. *sub nom.*; *The Century*, Aug., 1884; *Baker's Tex.*, 255–7.

Beason Crossing, generals Ramirez y Sesma and Woll, with a force variously estimated at from 600 to 800,[6] reached the Colorado and took up a position in a bend of the river about two miles above the Texans. On the approach of the Mexicans, Captain Carnes had been sent with five men to reconnoitre, while to prevent Sesma from passing across the river, Colonel Sidney Sherman and Captain Patton were despatched with 150 men to Dewees crossing.[7] Carnes fell in with twelve of the enemy, and in the skirmish which ensued, killed one of them and captured another. Sherman's detachment was presently increased to from 350 to 400 men. For six days the opposing armies remained in their respective positions within striking distance without either side making any hostile demonstration.[8] Houston's army by the 25th had received such accessions that it was over 1400 strong,[9] and the men were all eager to engage the enemy. There is evidence that at one time he intended to cross the river and give Sesma battle;[10] but on the

[6] The real number was 725. *Filisola Mem. Tej.*, i. 20.

[7] *Tex. Alm.*, 1860, 56. Yoakum calls it Robertson's crossing. ii. 112.

[8] Sesma was ordered by Santa Anna not to attempt to cross the river, unless the enemy retired. *Filisola, Mem. Guerra Tej.*, ii. 441.

[9] It is impossible to find out the exact number of men under Houston at this time. Ex-president Anson Jones says that on the day of the retreat from the Colorado their number was over 1500—'I think 1570'; Col Ben Fort Smith, 1360; Col Amasa Turner says, 1465, besides 105 men who joined the next day. Col Tarlton gives the number 1800; Calder thought the muster-roll showed 1400; Franklin says upward of 1400 men; Heard considered the numerical force to be from 1500 to 1600 men, because the issuing commissary told him that rations for 1600 had been drawn. *Tex. Alm.*, 1860, 136. Foote considers that at least 1400 soldiers were present on the 25th, and in a note gives his authorities. *Tex.*, ii. 274. The Mexican general, Sesma, placed the number of the Texans at 1200. See his despatch to Santa Anna of March 25, 1836, in *Filisola, Mem. Tej.*, i. 41. Houston in his speech in the Senate of the U. S., Feb. 28, 1859, states that his efficient force never exceeded 700 troops at any one point. *Congressional Globe*, 1859, p. 1636. Copy of same speech in *Tex. Alm.*, 1860, 18–35. This assertion is somewhat contradictory to the statement in his letters of March 23, 1836.

[10] Foote—ii. 278–9—states that he is convinced that Gen. Houston, up to the 25th of March, contemplated a struggle with the enemy in the neighborhood of the Colorado, and from a mass of documents, quotes one which he considers conclusive. 'Capt. Shapp says: Gen. Houston told me to tell the people not to run any further . . . there would be no more retreating: and that the next news they would hear from the army would be of a battle, the result of which no one could doubt.' The same author also supplies copy of Army Orders of March 21st, in which Houston's intention is evident. 'In a

25th news was brought by Peter Kerr of the capture and massacre of Fannin's command. This was a death-blow to his plans. It would be madness to assail under these circumstances, allow Urrea to gain his rear, and let himself be surrounded by overwhelming forces.[11] Accordingly he decided on a further retreat to the Brazos, and on the evening of the 26th fell back five miles and encamped on the margin of a lake in the prairie. This movement increased the prevailing consternation, and caused the greatest dissatisfaction to both the officers and troops of his army. The fiery spirits of which his force was composed were longing to strike the foe which had dealt so savagely with their relatives, comrades, and countrymen, and in their rage could not perceive the prudence practised by their general. It is true that he might have struck Sesma hard, had he attacked him; but it must be borne in mind that while the Mexican commander had two pieces of artillery,[12] Houston had none, and it was for his cannon that he reasonably waited so long. But it never arrived, and he did not dream of such a blow as the destruction of Fannin and his command, who, he supposed, were safe at Victoria, as would have been the case had Fannin obeyed his orders. As soon as General Houston's intention became known, Captain Heard and a number of other substantial planters on the banks of the Colorado asked for and obtained furloughs to enable them to remove their families to places of security, and in the subsequent retreat, as elsewhere intimated, the army was soon reduced to half its original strength by the departure of men bent on the same errand.

Meanwhile the government had been exerting itself

few days,' he says, 'I hope to have force sufficient to capture the enemy before he can reach the Guadalupe.'

[11] Moreover if he fought a battle, he had no means of transporting his wounded. *Houston's Speech ut sup.*

[12] 'Dos piezas de á 6 con sus correspondientes dotaciones de artilleros y municiones.' *Filisola, Mem. Tej.*, i. 20.

to send reënforcements, war material, and supplies to the front. Two thirds of the militia had been called out, and measures were adopted to arrest the panic and flight of the inhabitants toward the Sabine. President Burnet, on March 18th, issued a proclamation tending to allay the public consternation, exhorting the people not to abandon their homes, thereby depriving their country's defenders then in the field of additional strength. But this proved ineffectual. As soon as the fate of Fannin's command was known, and that Houston was in retreat, the wild hurry to escape of the fleeing people rose into a panic, which ere long reached Trinity, whose inhabitants fled. Samuel P. Carson, the secretary of the navy, writing to President Burnet, says, "Never till I reached Trinity have I desponded, I will not say despaired."[13] It was as if a hurricane of terror was sweeping over the land.

Houston retired rapidly toward the Brazos, reaching San Felipe on the 28th. Here the dissatisfaction of the troops displayed itself in a spirit of insubordination. Objection was raised to marching up the river, it being maintained that the principal settlements were situated below. The commander-in-chief decided to move up, whereupon two companies, one commanded by Captain Mosely Baker, and the other by Wylie Martin, refused to come into line,[14] and he was fain to order Baker to remain behind, with 120 men, to guard the crossing at San Felipe, and to grant the request of Martin's company to go down to the crossing at Fort Bend, or Old Fort. These arrangements having been made, on the 29th Houston moved up the river with the main body, now reduced to 520 efficient men, crossed Mill creek, and on March 31st encamped in the Brazos bottom opposite Groce's plantation. Here he remained till April 13th, detained

[13] Letter of April 4th, in *Yoakum*, ii. 119.

[14] *Lubbock*, in *Tex. Almanac*, 1859, 44. Houston makes mention of only one company as mutinous. *Houston's Speech*, *ut sup.*, 1435, also in *Tex. Almanac*, 1860, 23.

by the high waters of the river from any active operation. The rains were unusually heavy this season; the Brazos rose to a height not known for years, and his camping ground was at one time converted into an island by the floods. Provided with no tents, and but little covering of any kind, the sufferings of the soldiers from wet and exposure were severe, and sickness naturally followed.

In the evening of the day on which Houston left San Felipe, the town was burnt to the ground by Baker. This severe measure was adopted on account of a report brought in by his scouts that they had seen the Mexican advance guard within a few miles of the place, which they would probably reach before daylight. Unfortunately, the scouts had mistaken a drove of cattle for a squadron of cavalry, and the untimely burning of San Felipe caused the destruction of an immense quantity of goods which might otherwise have been saved.[15]

On March 24th, General Tolsa arrived at the Colorado with his command, raising Sesma's division to 1,400 men of all arms,[16] and this general, on the retreat of Houston, at once proceeded to pass his troops over the river on rafts. The Colorado was much swollen, but in four days after the departure of the Texans, he succeeded in placing a considerable portion of them on the other side, and a few days later crossed over with the remainder. When Santa Anna became aware of the large Texan force concentrated on the Colorado, he changed his intention of returning to Mexico, and decided to take the field in person. Indeed, he changed all of his plans. Gaona was ordered to cross the Colorado at Bastrop, and march to San Felipe as a support on Sesma's left, and Urrea was

[15] *Foote*, ii. 283. This author, in his account of this occurrence, quotes 'the very words of the last number of the San Felipe *Telegraph*, the accuracy of which there is no reason to question.'

[16] These are Sesma's own figures, according to his despatch to Santa Anna dated March 25, 1836, in *Filisola, Mem. Tej.*, i. 41.

instructed to move from Victoria against the same place. Colonel Amat was sent forward to Gonzalez with 600 men, two eight-pounder and two four-pounder cannon, and a seven-inch mortar, taking with him rations for one month. Having made these arrangements, and leaving General Juan José Andrade in command at Béjar with most of the cavalry and some piquets of infantry, the Mexican dictator left, March 31st, with his staff and General Filisola. On April 2d he reached Gonzalez, and finding the waters of the Guadalupe so high that it would be necessary to construct rafts for the passage across of Amat's brigade, such was his impatience that he hurried forward with his staff and an escort of about forty dragoons, leaving Filisola to direct the crossing of the troops, artillery, and wagons. On the 5th he reached the Colorado, and with Sesma's and Tolsa's commands pushed forward with the same impetuous haste to San Felipe, where he arrived April 7th.[17]

Santa Anna in the plenitude of his self-confidence considered that he had an ample force with which to crush the retreating Texans without the assistance of Urrea's division, and on April 6th countermanded his instructions to that general, ordering him to take possession of Matagorda, and carry out the operations previously assigned to him.[18] This proved to be a fatal mistake. Urrea crossed the Colorado, and on April 13th entered Matagorda, which he found evacuated. He then directed his march to Brazoria, taking possession of the place on the 22d without opposition, a large quantity of goods of all kinds falling into his hands.[19] While Urrea was thus far away from the future field of action Gaona failed to arrive at San Felipe at the time expected. In fact he had lost his way in the desert region lying between Bastrop and San Felipe, which place he did not reach till

[17] *Filisola, Mem. Tej.*, i. 41–51; *Id., Represent.*, 12–13; *Cos, Verdad. Idea*, 17–18; *Almonte's Journal, in National Banner*, July 13, 1838.

[18] Copy of despatch in *Filisola, Mem. Tej.*, 50–1.

[19] *Id., Mem. Guerra Tej.*, ii. 156–9; *Urrea Diario*, 24–7.

April 17th.[20] These two circumstances, combined with the impetuosity and presumptuous self-reliance of Santa Anna greatly conduced to the catastrophe which ended in his overthrow and capture.

SECTIONAL MAP OF 1835.

Meantime Santa Anna, finding Baker's detachment opposed to him on the opposite side of the river, made no attempt to cross, but on the 9th moved down the

[20] *Caro Verdad. Idea*, 22; *Filisola, Mem. Guerra Tej.*, ii. 449–50.

Brazos with the chosen companies and reached Old Fort[21] on the 11th. Sesma was left at San Felipe with 489 men, being instructed to place himself under Filisola's orders when he should arrive.[22] The last named general had reached the Colorado on the 10th, and moving forward arrived at the ruins of San Felipe on the 14th, and at Old Fort on the 16th. From the latter place Santa Anna sent instructions, as soon as he arrived, for Sesma and Filisola to join him there as speedily as possible. Sesma came up on the 13th, and on the following day the commander-in-chief, without waiting for the arrival of Filisola, having obtained possession of a flat boat[23] and two canoes succeeded in crossing the river by a ruse. At Old Fort there were two crossings, the upper and lower, and as Wylie Martin's force was not sufficient to guard both, he was kept occupied by a demonstration at the upper ferry, while the Mexicans effected their passage across at the lower one. Martin thereupon proceeded up the river and joined Houston who by this time was also on the east bank of the river. Taking with him 700 infantry with a six-pounder and 50 cavalrymen, Santa Anna hurried off to Harrisburg, leaving Sesma with the remainder of the division at Old Fort.

The cause of all this haste was the receipt of news that the Texan government had its seat at Harrisburg and the Mexican commander-in-chief hoped, by a forced march, to capture the president and other members. He arrived at the place in the night of the 15th,[24] only to find three printers in it, the gov-

[21] Also called Fort Bend, Thompson Ferry, and Orozimbo—now Richmond.

[22] See Sesma's note to Filisola of Apr. 9, 1836, in *Id.*, *Mem. Tej.*, i. 64; *Id.*, *Represent.*, 15.

[23] Houston states in the speech already quoted that he had ordered every craft on the river, to be destroyed but by a ruse the enemy obtained the only boat that was in that part of the country where a command was stationed. They came and spoke English. Consult *Yoakum*, ii. 121.

[24] At this date the positions of the Mexican divisions were as follows: Urrea was at Matagorda, 30 leagues distant from Sesma, and 40 from Filisola; Gaona was lost in the desert between Bastrop and San Felipe; Filisola was

ernment and inhabitants having left for New Washington, whence they crossed over to Anáhuac, and from there to Galveston island in the steamer *Cayuga*, the government making the latter place its seat.[25]

At Harrisburg Santa Anna learned from the printers that Houston was at Groce crossing with 800 men. He then sent forward the cavalry to New Washington under Colonel Almonte, who presently, from information there received, reported that Houston was marching for the Trinity by way of Lynch's ferry. Having set fire to Harrisburg,[26] the Mexican general moved, on the 17th, to New Washington, arriving there on the 18th, having previously despatched a courier post haste to Filisola ordering him to send General Cos with 500 picked troops to join him by forced marches.[27] And here, for the present, we will leave him to follow the movements of the Texan army.

The impatience of the troops at the Fabian policy of General Houston was so great that the expression of it bordered on mutiny, and it is an undeniable fact that while they were in camp on the Brazos several meetings were openly held at which the question was discussed of appointing another leader.[28] On April 4th, Thomas J. Rusk, the secretary of war, arrived at the camp, and it appears that at his suggestion an understanding was arrived at that the army should

16 leagues distant from Sesma, and Santa Anna at Harrisburg 20 leagues distant.

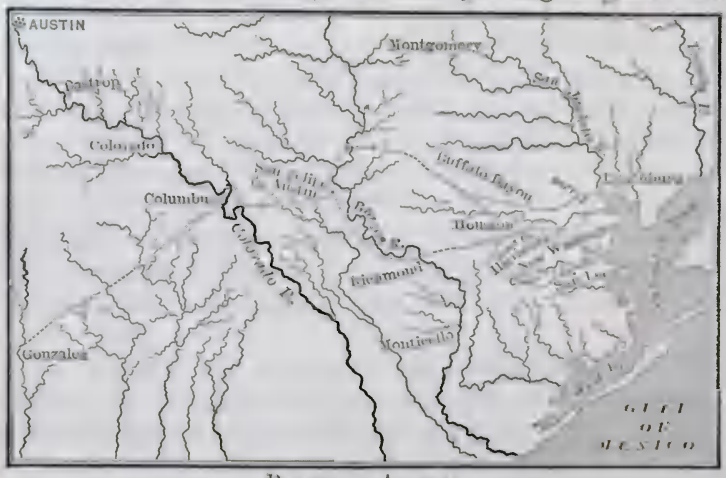
[25] Pres. Burnet was nearly captured by a squadron of Mexican cavalry on the morning of the 17th, at New Washington, escaping to the steamer in a small boat only a few minutes before the enemy reached the shore. *Yoakum.* ii. 136–7.

[26] Santa Anna denies this, stating that the town was on fire before he entered it, and that he was told by the printers that the fire was accidental. *Manifiesto* 17, in *Pap. Var.*, 182, no. 8; also in *Filisola, Mem. Guerra Tej-*, ii. 458. But Colonel Pedro Delgado in his diary says that Santa Anna ordered him to set fire to the place. *Id., Mem. Tej.*, i. 84.

[27] Cos had been ordered to proceed with 500 men to the mouth of the Brazos and take possession of Velasco. Copy of despatches in *Id.*, i. 68–77. Santa Anna's countermanding his orders so repeatedly caused much annoyance to his generals, whose suggestions or advice he would not listen to.

[28] Houston says, 'mutiny and sedition were rife in camp,' *Tex. Alm.*, 1860, 35.

march to Harrisburg, the seat of the government, and there make a stand.[28] Two six-pounders having arrived on the 11th from Harrisburg,[29] Houston made preparations to cross the river. On his arrival at the Brazos, a spacious steamboat, the *Yellowstone*, happened to be at Groce's landing, loading with cotton. This vessel he embargoed, and placing a guard on



ROUTES OF ARMIES.

board thus secured the means of passing the river at any time without trouble. Thus at length the operations were fairly commenced, and indeed had they been much longer delayed it is impossible to foresee the results that might have followed, with mutiny and insubordination openly threatened in his camp, for many of his followers now attributed his hesitation to incompetence, timidity, or indeed to any cause except the right one. On the 12th he began to

[28] Foote says that Houston's plan was to retire to the Salone, and there get up an army of 5,000 Anglo-Americans. On the other hand, it was announced to him by Maj. Wharton and others that the soldiers would not leave the central region of Texas to go north on any consideration whatever. *Foote*, ii. 292. Houston asserted in his speech before the U. S. senate that he was resolved never to pass the Trinity. *Tex. Alm.*, 1860, 33.

[29] These two small guns constituted all the artillery of the Texan's army. They were presented to the patriots by the citizens of Cincinnati, and were afterward christened the Twin Sisters. *Id.*, 23; *Foote*, ii. 295–6, where will be found copy of President Burnet's letter acknowledging the receipt of the cannon.

pass the troops across, and by the 14th the whole army was placed on the other side. The next day, the companies of Moseley Baker and Wylie Martin arrived. Both officers were in a sullen humor, and the latter proved so refractory that Houston ordered him to march directly to the Trinity and protect the women and children in case the Indians should prove turbulent.[31]

The army was now put in motion, and after a march of extreme difficulty and fatigue over the boggy ground,[32] arrived at Buffalo bayou, opposite Harrisburg, on the 18th, and there encamped. The ever-active scout, Deaf Smith, and other spies were sent across the bayou, and in the evening brought in two captives, one of whom proved to be the bearer of despatches from Filisola to Santa Anna, and others from Mexico. From these papers Houston learned for the first time that the Mexican president in person was in command of the advance division of the enemy.

Houston now determined to cross the bayou, and on the morning of the 19th, after having addressed a spirit-stirring speech to the troops,[33] in which he informed them that Santa Anna himself was before them, moved about two miles lower down the bayou, with three days' rations, leaving in the rear the baggage and sick,[34] with a sufficient guard. The passage

[31] *Tex Alm.*, 1860, 24. Martin died at Fort Bend county in 1842. At the time of his death he was a member of the Texan congress. He was born in Georgia in 1776. *Thrall's Hist. Tex.*, 588.

[32] 'The prairies were quagmired. The contents of the wagons had to be carried across the bogs, and the empty wagons had to be assisted in aid of the horses. No less than eight impediments in one day had to be overcome in that way.' *Houston's Speech*, in *Tex. Alm.*, 1860, 24.

[33] Labadie, who accompanied the army, writes thus: 'He said [that is, Houston]: "The army will cross, and we will meet the enemy. Some of us may be killed and must be killed; but soldiers, remember the Alamo! the Alamo! the Alamo!" Maj. Somerville remarked: "After such a speech, but damned few will be taken prisoners—that I know." Col Rusk then made a most eloquent speech . . . in the midst of his speech he stopped suddenly, saying: "I have done," as if it had just occurred to him that it was a waste of words to talk to men who had been so long impatient for the very conflict that was now about to take place.' *Tex. Alm.*, 1859, 49.

[34] Yoakum makes the extraordinary statement that 200 or 300 sick and non-effectives were left behind. ii. 134. Labadie, who surely ought to know, says, 'Phelps having been left to attend to some ten or twelve who were sick

of the main body was effected without mishap, but not without trouble, as the only means of crossing consisted of a boat in bad repair and a raft that had been constructed on which to pass over the cannon and ammunition-wagon. The horses were made to swim across, and by nightfall the whole force had gained the other side. The army then moved down the bayou till midnight, when the men were so utterly exhausted—some even falling down from fatigue—that a halt was ordered, and the weary soldiers threw themselves on the wet ground and bivouacked without supper, exposed to a cold north wind which increased their discomfort. At daylight the march was resumed, and the indomitable troops pressed forward without breakfast toward the junction of Buffalo bayou with the San Jacinto. After a march of two hours, the order was given to halt for breakfast, but while the hungry men were preparing it, the scouts galloped into camp and reported that the enemy was moving from New Washington toward Lynch's ferry. The march was immediately continued, and the eager soldiers hurrying onward halted, about ten o'clock on the morning of the 20th, within half a mile of the ferry, in a fine belt of timber on the elevated bank. At the ferry a new flat-boat, loaded with provisions, was captured. It had been sent by Santa Anna from New Washington, and the supplies were intended for the troops with which he was going, as he thought, to take possession of Anáhuac.

From New Washington Santa Anna sent Captain Barragan on the 19th with a detachment of dragoons to reconnoitre the movements of Houston, and on the 20th prepared for his march to Lynch's ferry, by burning the warehouse on the wharf and setting fire to the town. When everything was ready for the march Captain Barragan, at eight o'clock in the morning, en-

with the diarrhœa, the Red Land company, consisting of some 40 men, also remaining to guard the camp.' *Tex. Alm.*, 1859, 49.

tered camp at full speed reporting that Houston was close on the rear and had captured some of the stragglers. A scene of confusion ensued which defies adequate description. The excitement of the Mexican general amounted to frenzy; and his conduct, utterly lacking in that calmness and dignity essential to a successful commander on occasions of emergency, had a terrifying effect upon his troops. The exit from New Washington was by a narrow lane, a mere mule-track, through a dense wood, and the troops and pack animals were already filing along it toward the open prairie beyond. Mounting his horse, Santa Anna rushed down this lane crowded with men and animals, wildly gesticulating and screaming out, at the top of his voice, that the enemy was at hand. The disorder was terrible. By knocking down and riding over his men like a madman, the commander succeeded in forcing his way through to the prairie, where in spite of the trepidation he had caused and his contradictory orders, a column of attack was formed.[35] But no enemy was in sight, and the army in some proper array moved forward toward Lynch's ferry. About two o'clock in the afternoon Houston's pickets were descried, and some firing took place between them and the Mexican skirmishers. When Santa Anna arrived on the ground with the main body, his first intention was to attack at once, and a column of infantry was directed against the enemy; but being received with a discharge of grape, while the Texans kept themselves well concealed in the wood, it was withdrawn. The Mexican general had occupied an island of timber on a small elevation in front of Houston's right; he now deployed the Toluca company as skirmishers, with the object of discovering the position of the Texans, and opened fire with his cannon. This demonstration was re-

[35] Col Delgado's Diary, in *Filisola, Mem. Tej.*, i. 84–6. Translation of the same in *The Battle of San Jacinto viewed from both an American and Mexican standpoint. Its Details and Incidents as officially reported by Major-General Sam. Houston.* Austin, Texas, 1878; also in *Linn's Reminis.*, 225–46.

sponded to by the enemy's artillery—Captain Urrizia being severely wounded—and an interchange of small arms occasionally took place. The artillery continued to fire for some time, and Colonel Neill, on the Texan side, was wounded by a grape shot. Just before sunset a demonstration was made by the Texan cavalry, under Colonel Sherman, against the Mexican left, whereupon Santa Anna ordered his own cavalry to face the enemy without gaining ground. The Texans charged upon the dragoons and came to close quarters, but were compelled to retire, before much harm was done,[56] by the advance of several companies of

PLAN OF BATTLE-FIELD.

Mexican infantry. This skirmish closed the operations of the day. Meantime Santa Anna had selected his ground and encamped with his whole force along the margin of San Jacinto bay, his right flank occupying the extreme point of a skirt of timber.[57] The

[56] The Texans had two men severely wounded, one of whom died a few days afterward. *Tex. Almanac*, 1860, 64. Santa Anna says that one dragoon on his side was grievously wounded. *Manifiesto*, 64–5.

[57] The disposition of Santa Anna's force was as follows: three chosen companies guarded the wood on his right: the Matamoros battalion of regulars occupied the centre; and on his left was planted the cannon, protected

two armies were about three-quarters of a mile apart.

At daybreak on the 21st, Santa Anna caused a breastwork, about five feet high, to be thrown up on his left, constructed of pack-saddles, baggage, sacks of hard bread, etc., and having an opening in the centre in which was placed the gun. A weak barricade of branches extended along its front and to the right. At nine o'clock, A. M., General Cos arrived with 400 men of his reënforcement, and as they had been marching all night they were ordered to stack their arms, divest themselves of their accoutrements, and take their rest in the adjoining grove.[38] Santa Anna seems to have had no intention of fighting that day, though in his representation to the Mexican government he would have it appear otherwise.[39] Be his intention what it might, the hours dragged on; morning was succeeded by afternoon, and evening approached. Most of the soldiers were sleeping; some few were eating; while others were scattered in the wood procuring boughs wherewith to construct a shelter for the night. The cavalry-men were riding bare-back to and fro as they watered their horses, and an indifferent watch was kept by the drowsy piquets. His excellency, fatigued with his morning ride and excitement, slumbered in his tent. His staff, too, was fast asleep.

While the doomed army was thus unsuspicious of danger, the trap was being set by the enemy. Houston still displayed what seemed to his impatient troops

by the cavalry and a column of picked companies, which also formed his reserve. *Santa Anna, Manif.*, 65, in *Pap. Var.*, 182, no. 8.

[38] Santa Anna, in his account of the campaign, addressed from Manga de Clavo, March 11, 1837, to the Mexican minister of war, states that Cos informed him that he had marched so rapidly that the men had neither eaten nor slept for 24 hours. He also states that only 400 men arrived with Cos, because 100 men had been left with some baggage at a bad crossing near Harrisburg. *Ib.* Delgado says about 500 men arrived in camp. *Filisola, Mem. Tej.*, i. 90. Caro does not believe 100 men were left behind. *Verdad. Idea*, 38, but there is no doubt that Santa Anna's statement is correct as it is corroborated by Filisola. *Mem. Guerra, Tej.*, ii. 473, and *Mem. Tej.*, i. 120.

[39] See the dispositions made by him. *Id.*, 65–6.

an unnecessary delay in commencing hostilities, and about noon a council of war was held,[a] at which colonels Burleson and Sherman, lieutenant-colonels Millard, Somerville, and Bennett, Major Wells, and Rusk, the secretary of war, were present. The question put to the council was, "Whether they should attack the enemy in his position, or await his attack in theirs." The two last named officers were in favor of attacking: the four seniors and Rusk voted in favor of receiving the attack, since they deemed their situation admirably adapted for defence, whereas to charge across an open prairie with raw militia, without bayonets, and assault an enemy in position would be a most hazardous experiment. The council was then dismissed, no opinion having been expressed by Houston.

It is much to be regretted that many bitter controversies arose in after years relative to Houston's method of conducting this campaign, and that so much animosity should have been displayed between men who, apart from their unfriendly feelings toward each other, bore a noble part in this desperate struggle for independence with a vastly superior power. The statements of the opposing parties are so utterly at variance, and so thoroughly contradictory that it is impossible to arrive, with any degree of certainty, at a decision which could be claimed as unquestionably correct.[b] I shall therefore confine myself to the narration of facts, without entering into a discussion as to the merits of the claims set up by either party, especially as they unhappily merged in personal enmity, recriminations, and abuse. I cannot, however, refrain from making a few remarks bearing upon the difficult posi-

[a] 'The commander-in-chief was waited on by several of the officers, suggesting a council of war.' *Yoakum* ii., 140; *Tex. Almo.*, 1860, 65; Houston, in *Id.*, 25 6.

[b] One of the most grievous charges against Houston was that he allowed Sherman to make the cavalry charge in the evening of the 20th under the promise that he should be supported by infantry, which support was not given. Houston maintained that Sherman disobeyed orders in engaging with the enemy, as he had been strictly enjoined only to reconnoitre, and by no means to approach within gunshot of the enemy's line. *Id.*, 25, 27, 64; *Id.*, 1859, 52–3; *Foote*, ii. 298–305. See Yoakum's remarks on this affair, ii. 139–40.

tion in which the commander-in-chief stood with regard to his army. After his departure from the Colorado, Houston's plan, though entailing great self-sacrifice on the part of the settlers, seems to have been the only one on which he could securely rely for ultimate success. His object appears to have been to retreat to the Redlands, luring the foe after him away from supplies; then, when the families of the Texans had been placed in safety beyond the Sabine, he doubted not that he would be able to raise from 4,000 to 5,000 men burning to avenge their sufferings and losses. With such a force, he could have annihilated the Mexican army. But Houston was a man who kept his own counsel, and the impetuous and angry men under him, not penetrating his designs, and little practised in subordination, attributed his retreat to fear of the enemy, and were not slow to express their opinion. When the brave but unruly nature of those with whom the general had to deal is taken into consideration, and when it is borne in mind that from the beginning to the end of his retreat he met with ever-increasing opposition, murmurings, and dissatisfaction, giving place to contemptuous language uttered within his hearing, and mutinous proceedings, we cannot fail to admire the nerve and courage of the man who, in the face of such opposition, persevered in the plan which he deemed most conducive to the success of his adopted country.

Soon after the council was dismissed, Houston despatched Deaf Smith with some others to destroy Vince's bridge, about eight miles off,[42] the accomplish-

[42] This bridge was built over a creek of the same name which crossed the road to Harrisburg, the only way by land to the Brazos. By its destruction Santa Anna was cut off from the rest of his forces. The demolition of this bridge was another subject of controversy, it being claimed that the idea of destroying it originated in Deaf Smith, who made the proposition to Houston, while the latter maintained that such was not the case. It is a matter of no material importance. The bridge was destroyed, and by Houston's orders, whether prompted by Smith or not. But the general-in-chief was accused by his opponents of appropriating to himself all the glory of San Jacinto, and no charge, however trivial, was omitted to be brought to bear against him. The accounts also of the destruction of the bridge are various and con-

ment of which would prevent the arrival of additional reënforcements and cut off all means of escape for Santa Anna in case of his defeat. When he deemed sufficient time had elapsed for the destruction of the bridge, Houston caused the general opinion of the captains of the different regiments to be taken on the question of engaging with the enemy at once, or just before daybreak on the 22d. The votes were greatly in favor of immediate attack, and the commander-in-chief thereupon gave the order to parade and prepare for action.[1]

Under cover of the islands of timber in front the battle array was formed unseen by the enemy. Colonel Burleson with the 1st regiment of Texas volunteers occupied the centre; the 2d regiment of volunteers, under Colonel Sherman, formed the left wing; on the right was placed the artillery, sustained by four companies of regular infantry under Lieutenant-colonel Henry Millard. The line was completed by the cavalry which was posted on the extreme right. There was no noise, but along the ranks a low whispering might be heard, and a keen listener might have caught the word, Alamo! On each man's countenance stern determination was depicted under various expressions. Some were pale; others were smiling in

tradictory. Some say it was burned: Houston asserts that it was cut down: Labadie states that Deaf Smith told him that he first fired it, but it would not burn: he then cut away a few timbers and made it fall into the bayou. There is, however, conclusive evidence that it was burned. Santa Anna, speaking of his arrival at the creek, says, 'cuyo puente en contra quemado.' *Memórias, ut sup.*, 67. Houston says that two men—Deaf Smith and his comrade, Reeves—were secretly despatched to accomplish the work: Foote states that there were four men, Smith, Carnes, Lapham, and another; Aylsbury, who claimed to be one of the party, asserts that seven men, including Smith and himself, were employed; the names of the others were Dangerfield Rives—or Reeves—John Coker, E. E. Rainwater, John Garner, and Moses Lapham. *Id.*, ii. 141; *Foote*, ii. 305-6; *Tex. Almo.*, 1859, 53; *Id.*, 1859, 96, 67-6; *Id.*, 1861, 55-8, 65; *Baker's Tex.*, 98-101; *Thrall's Hist. Tex.*, 265.

[1] Capt. R. J. Calder, referring to Gen. Houston's reluctance to fight, writes thus: 'I think he wished, in case of failure or disaster, an apology, to wit, that he fought against his own judgment, and suffered himself to be controlled by the opinions and clamor of his officers and men.' The same officer did not believe that Houston felt a positive reluctance to fight. *Tex. Almo.*, 1861, 66.

anticipation of revenge; but deep in the eyes of all was a tigerish glare which occasionally flashed out from beneath their brows. They were self-restrained, however, and only waited for the word. It was about 4 o'clock in the afternoon when the command was given to advance The Texans moved silently forward through the timber in double file, and pushed rapidly on across the prairie toward the foe. When within 300 yards of the enemy's camp the Mexicans opened fire, and the pace was increased to double quick; but not a shot was fired by the Texans till they were within point-blank range. Then, with a deafening shout of Remember the Alamo! striking terror into the hearts of their foes,[44] they poured in their volley, and rushed to the charge. Sherman's regiment, which had advanced under cover of the island of timber on the Texan left front, was the first to break into the Mexican camp; Burleson's command almost immediately afterward pierced the centre. The cavalry had been first advanced in front of the enemy's left to draw off attention, and the *Twin Sisters* had been run rapidly forward to within 200 yards of the breastwork in the same part of the field, and had opened fire upon it.

No more complete surprise could have been effected. The conflict even at the breastwork lasted only a few moments. In the short hand-to-hand contest engaged in, the Texans clubbed their rifles, and the Mexican bayonet proved a useless weapon against the superior strength and fierce valor of their antagonists.[45] In less than twenty minutes after the Texans

[44] Writes Capt. Calder: 'I am by no means certain that our shot was more effective in creating confusion and panic in the ranks of the enemy than this tremendous yell, preceded, as it had been, by almost perfect silence, and a steady advance under their fire.'

[45] 'Our riflemen used their pieces as war-clubs breaking many of them off at the breech.' *Houston's Official Report of the Battle of San Jacinto.* This report was filed in the records of the republic of Texas, and was probably destroyed by the fire that consumed the adjutant-general's office in October, 1855. A correct copy, however, was fortunately preserved, for in the same year in which the battle was fought the document was published in pamphlet form at the *Bulletin* office in New Orleans. The publication was doubtless

burst into the camp, carrying terror in their battle-front, the trained soldiers of Mexico were in headlong flight, a panic-stricken herd. In vain the brave Castrillon endeavored to restore order; he could not stay the tide of fleeing men. His gallantry cost him his life; while slowly retiring he was struck by several rifle balls and fell.[46] And now followed the pursuit which was continued to the site of Vince's bridge. The Texans spared not, and the carnage did not cease till night interfered.[47] At a small creek, not wide but deep, in the rear of the Mexican right and behind the timber belt, the slaughter was terrible, while numbers of the fugitives were drowned in their efforts to cross it. At the close of day Almonte, who by his coolness and intrepidity had succeeded in keeping together a column of some 400 or 500 strong, and was retreating beyond the morass in the rear of the Mexican camp, formally surrendered. Santa Anna and Cos escaped for the time.

In this engagement the aggregate force of the Texans was 783 men, that of the Mexicans, according to Houston's report of killed, wounded, and missing was double that number.[48] The figures representing

made in deference to the request of General Houston, who urged it 'as an act of justice to the individuals' who participated in the engagement. The above information was supplied by V. O. King of the department of Insurance, Statistics, and History, in 1878, in which year a copy of it was published at Austin, Texas. *Linn's Reminis.*, 223. Besides this copy which bears the title of *The Battle of San Jacinto Viewed from an American and Mexican Standpoint*, copies are supplied in *Linn, ut sup.*, 203–9; *Yoakum*, ii. 498–502; *Kennedy*, ii. 222–7, besides other authors.

[46] Castrillon was a European Spaniard. At San Jacinto he displayed singular coolness and bravery. Rusk writes: 'Gen. Castrillon was standing on the ammunition boxes behind the piece exposed from head to foot. He used every effort to keep his men to the gun; when he found that to be impossible, he folded his arms, stood and looked sullenly, and without moving, upon our troops... He was about fifty yards in the rear of his retreating men when he turned round deliberately and walked slowly off. He had proceeded some thirty or forty steps when he was shot and fell. I examined him, after the battle, and found that several rifle balls had passed directly through his body.' *Foote*, ii. 309.

[47] See Taylor's description of the merciless slaughter of the Mexicans during the pursuit, in *Tex. Alm.*, 1868, 43–4.

[48] According to statements of Santa Anna and his officers his force could barely have amounted to 1,300 men. Col Delgado says that his excellency started for Harrisburg from the Brazos with about 600 men. *Diary, ut sup.*, 31, and *Filisola, Mem. Tej.*, i. 82, where this author remarks that there

the enemy's loss given by the Texan commander are: 630 killed, 208 wounded, and 730 prisoners, showing a total of 1568 men accounted for.[49] A large quantity of arms, several hundred mules and horses, all the baggage and camp equipage, and the military chest, containing $12,000, fell into the hands of the victors. The loss of the Texans was 6 killed on the field and 25 wounded, two of whom died.[50] Among the wounded was General Houston, who, while gallantry encouraging his men to the attack, received a shot in the ankle, in front of the infantry, and when within a few yards of the enemy, his horse also being shot in two or three places. He did not, however, leave the field till the Mexicans were routed and in full flight.

Meantime Santa Anna, who had been one of the first to flee, made every effort to save himself. Mounted on a splendid charger supplied him in the confusion by Colonel Juan Bringas, he fled at full speed toward Vince's bridge, hotly pursued by the Texan cavalry. Finding the bridge destroyed, he did not pause, but plunged down the steep descent into the water, where his horse stuck fast in the mud. Nevertheless, favored by the approaching night, he managed to con-

were more than 800, a statement somewhat contradictory to that made in his *Representacion*, 13, where he says that Santa Anna, in his impatience, marched to Harrisburg with a little over 700 men and a six-pounder cannon. Santa Anna himself states that his original force consisted of 700 infantry and 50 calvary. *Manifiesto*, 63. Assuming the largest number, over 800 men, these added to the 500 men brought up by Cos only make a total of something over 1300, men.

[49] Among the Mexican slain were Gen. Castrillon, cols Batres, Peralta Treviño, José M. Romero, and lieutenant-colonels Manuel Aguirre and Luelmo, besides 5 captains and 12 lieutenants. *Houston's Report, ut sup.*, 9; *Caro, Verdad. Idea*, 43. Yoakum, ii. 146, gives the names of Col Mora and Lieut-col Castillon. Among the prisoners, besides Santa Anna and Cos, captured later, were colonels Almonte, Bringas, Céspedes, Portilla, and Delgado.

[50] The names of the killed are: William Motley, aid-de-camp to the secretary of war; 1st lieut J. C. Hale, 2d lieut Lamb, and 1st sergt Thomas P. Fowl, 2d regiment Texas volunteers; privates Lemuel Blakely, J. Tom, B. R. Brigham, and A. R. Stevens of the 1st named regiment. Olwyn J. Trask of the cavalry, wounded on the 20th, died a few days afterward. Official return in *Battle of San Jacinto*, 11, 12, and in *Tex. Alm.*, 1859, 160-1, in both of which authorities will be found a nominal list of all the men engaged in the battle. Yoakum, ii. 146, supplies a list of killed differing somewhat from the above.

ceal himself, crossed the creek later and continued his way on foot. In an abandoned house he found some clothes, and doffing his uniform, assumed the garb of a soldier. Clad in a blue cotton jacket and linen trowsers, with a leather cap and red worsted slippers,[41] he sought to hide his identity, and crawled away through the grass and mud in the direction of the Brazos. But on the following morning, detachments of horsemen were sent out to scour the country, and by one of these a mud-bespattered abject-looking creature was seen standing on the bank of a ravine. The object was brought into camp, and its identity recognized by the ejaculations of the other captives, who uttered the words, Santa Anna, and El presidente.[42] He was conducted to headquarters, and the Mexican dictator, and the director of the massacres at the Alamo and Goliad stood in the presence of his victor, who motioned him to a seat.

His trepidation was great, for his life, he knew, was in imminent danger. Yet he retained his presence of mind, and having swallowed some opium that was given to him at his request, somewhat regained his composure. There was not much dignity about the man as he sat on a box, with bowed head, in front of Houston; he was ready to sell his country if only he could get back to his hacienda of Manga de Clavo, and he proposed to negotiate for his liberation. In his defence, he laid his late murderous proceedings to the charge of the congress: he had only acted, he said, in accordance with the congressional decree, and did not consider himself responsible for the weight of punishment inflicted on those who were classified therein as pirates. In reply to Santa Anna's proposition to negotiate, Houston informed him that he had no power to act in a matter of that nature, and that

[41] *DeGuelle's Diary, ut sup.*, 38; *Santa Anna, Manif.*, 67.

[42] The names of the party which captured Santa Anna were Joel N. Robinson, Miles, Sylvester, Thompson, and Vermilion. There was another man whose name is forgotten. *Tex. Alm.*, 1859, 166; *Id.*, 1868, 45-5.

it must be referred to the civil government. The captive was no Regulus ready to die for his country, no self-sacrificing Morelos, and to secure his personal safety for the present, he eagerly entered into an armistice, or convention, with the Texan general, by which he was not ashamed to agree that the Mexican forces should retire pending negotiations with the government. That same day he sent despatches to Filisola, ordering him to withdraw to Béjar, and to instruct Gaona to retire to the same place and Urrea with his division to Victoria. Filisola was furthermore instructed to cause the prisoners at Goliad to be set at liberty, and to provide that no damage should be done to the property of the inhabitants during the retreat.[53] On the 24th General Cos was brought prisoner into camp, having been captured within a short distance of the woods on the bottom-lands of the Brazos.[54]

Filisola received news of the disaster about three o'clock in the afternoon of the 22d. He had already been joined by Gaona, and a large portion of this general's troops had been put across the Brazos, preparatory to marching against Nacogdoches; but when the fatal tidings arrived, Filisola immediately gave orders that they should be brought back to the right bank of the river, and despatched couriers to General Urrea at Brazoria and Lieutenant-colonel José Mariano de Salas at Columbia, ordering them to join him at Old Fort with all their forces as speedily as possible.[55]

[53] Copy of these despatches in his *Manifiesto*, 87–8. A son of Lorenzo de Zavala acted as interpreter at the interview between Houston and Santa Anna. *Id.*, 71.

[54] Santa Anna, in his despatch to Filisola, called the agreement he made with Houston an 'armistice,' but the capture of Cos on the 24th, Col Romero on the 25th, and Lieut-col Gonzalez on the 26th, proves that Houston had entered into no such truce, and that Santa Anna ordered the withdrawal of his troops merely through fear for his life, and obtained no conditions bearing upon the operations of the Texan army. See *Caro, Verdad. Idea*, 44–5.

[55] The despatch addressed to Urrea bears date of April 23, 1836, 3 P. M., which is a clerical error. It should be April 22, 1836. Urrea points out this mistake, and states that he received the despatch between 9 and 10 A. M.

As the magnitude of the catastrophe was impressed upon his mind by the reports brought by the few who escaped from San Jacinto, and who variously estimated the enemy's strength at from 1,200 to 2,000 men—numbers which he did not consider impossible if the Texans had concentrated—he deemed it prudent to retreat at once to a better military position, and on the 23d marched with his whole force to Mrs Powell's place, on the road to Victoria, about fifteen miles from Old Fort. On the following day he was joined by Urrea, and on the 25th a council of war was held by the generals. Considering the destitute condition of the army, both with regard to provisions and clothing—for the long march had exhausted the supplies, and the clothing of the soldiers was worn out—it was unanimously decided to retreat beyond the Colorado and await instructions and assistance from the government.[56] Filisola's whole force on this date was 2,573 men of all arms, according to the tabular statement in his representation to the government in defence of his action.[57]

On the 26th, the army commenced its retreat, and in the afternoon of the 27th, Deaf Smith arrived with Santa Anna's despatches,[58] the army being then encamped on the main source of the San Bernardo, which was rendered impassable by the heavy rains. The generals immediately met in council, and though

of the 23d. *Diario, Camp. Tej.*, 28, in which will be found copy of the despatches on p. 64–5, as also in *Filisola, Mem. Tej.*, i. 118–19.

[56] Urrea states that he was opposed to this decision, but had to submit to the general-in-chief. *Diario*, 31. Filisola repudiates this assertion. *Represent.*, 34–5. Filisola wished to resign the command to Sesma, Tolsa, or Urrea, each of whom declined to accept it. Particulars in *Id., Mem. Tej.*, i. 176–200.

[57] *Id.*, 36. There were, besides, 1505 men stationed in detachments at different places, 1,001 of whom were at Béjar, 174 at Goliad, and 189 at Matagorda.

[58] Yoakum—ii. 163—following Filisola, says that Smith arrived on the 28th. But Filisola mislaid his despatch to Santa Anna; Urrea dates a note, on the same occasion, April 27th, and corrects a mistake made by Filisola as to the day on which the army encamped on the San Bernardo, where Smith overtook the army. *Diario*, 31–2; *Filisola, Represent.*, 45–6. Moreover, in *Id., Mem. Tej.*, i. 215–16, it is distinctly stated that Santa Anna's despatches arrived on April 27th.

the retreat had already been decided upon, it was resolved that it would be good policy to send a reply to the effect that the army was retiring in obedience to Santa Anna's orders, thereby not only obtaining for him and the other prisoners considerate treatment, but a safeguard against attack during the retreat. It was also decided to send General Woll to Houston's camp, who, under the pretence of informing himself of the particulars of the armistice, was to take careful note of the number, armament, and resources of the enemy. Accordingly, a despatch to that effect was written, and Woll left for the San Jacinto on the following morning.[59] On his arrival at the Texan camp, he was allowed free intercourse with the prisoners, but was detained as a prisoner pending the negotiations, and in consideration of the fact that the enemy's forces were known to have concentrated.

The army continued its retrograde movement; and seldom has a retreat been conducted under greater hardships and difficulties. All the streams overflowed their banks and flooded the adjacent lands, while the whole country was converted into a swamp. The roads, where not inundated, were knee-deep in mud. On one occasion the half-famished soldiers waded a whole day's march through water, after standing all night in water;[60] and when this was passed, floundered through the mire, day after day, in pitiless rainstorms. The pack-mules sank up to the belly in mud, and the ammunition wagons were mired above the axles. All along the line of march to the Colorado baggage, wagons, cannon, and animals were abandoned. Filisola describes the situation as horrible. The men were half naked, their arms of all kinds were ruined, the ammunition was spoiled, and the horses and mules in the most wretched plight, numbers of

[59] Full particulars and copy of the despatch will be found in *Id.*, i. 218-24; *Urrea, Diario*, 32-3.

[60] 'El ejército paso la noche en una laguna sin tener donde sentar un pié que no fuere aguá.' *Filisola, Represent.*, 50.

them perishing. Finding it impossible to retreat to Béjar, on the 28th Urrea was sent in advance, without incumbrances, to secure the Atascosito crossing of the Colorado on the road to Victoria, and construct rafts for the passage of the army. He arrived there on the evening of the 29th but it was not till May 9th that the last division under Lieutenant-Colonel Ampudia crossed the river. Thenceforward the difficulties of the march were somewhat modified, and on May 13th the storm-beaten troops, exhausted with fatigue and gaunt with hunger, entered Victoria.[60]

On April 26th the Texan government, then assembled at Galveston, addressed an order to Houston instructing him, in case he deemed it inexpedient to risk an engagement with the enemy and considered a retreat inevitable, to march for Galveston. But the great victory had been already won, and on the 27th the joyful tidings were received by the government,[61] together with a request from Rusk that President Burnet would repair to the camp at San Jacinto. Accordingly Burnet, with his cabinet, proceeded thither, arriving about the 1st of May.[62] He was made acquainted with the convention entered into by Houston and Santa Anna, and found the latter in a very pliable mood—quite ready to purchase his life at his country's expense. His position, certainly, was not an enviable one. The army was clamorous for his execution as a retaliatory act of justice; but though some turbulence of spirit was displayed, no violence was resorted to, and the captive was treated by Houston with all proper consideration. That commander knew well that his humbled prisoner was a great power in the land of his birth, and that as

[60] A full account of this retreat will be found in *Filisola, Mem. Tej.*, i. 225–56; *Id., Represent.*, 46–56. Consult also *Urrea, Diario*, 34–6.

[61] Burnet states that the news was not received earlier on account of the inclemency of the weather. *Tex. Alm.*, 1861, 32.

[62] Caro states that Burnet arrived April 27th. *Verdad. Idea*, 48. The date in the text is that given by Burnet. *Tex. Alm.*, 1861, 33.

long as his life was spared, peace was guaranteed to Texas.

The preliminaries to a treaty—the sine quâ non of which was to be the absolute independence of Texas—were discussed in the camp at San Jacinto. Rusk, the secretary of war, drew up a protocol which served as a basis of the treaties subsequently signed. Gen. Houston's wound having incapacitated him for active service, Rusk was appointed to the command of the army with the rank of brigadier, his predecessor proceeding to New Orleans on the schooner *Flora*, sailing from Galveston. He arrived at his destination May 28th. In a few days the government,[64] with San Anna and most of the Mexican officers, embarked on the steamer *Yellowstone*,[65] and went to Galveston, whence, for want of accomodation, they removed to Velasco. Here on May 14, 1836, two treaties—one public and the other secret—were signed, by the first of which Santa Anna agreed not to take up arms or use his influence to cause them to be taken up against the people of Texas during the present war of independence; all hostilities on land and water were to cease; the Mexican troops were to evacuate the territory of Texas; no property was to be taken by the retreating army without indemnification, and captured private property was to be restored; the Mexican army was to prosecute its march without delay; the agreement was to be immediately sent to

[64] Some changes in the members of the administration took place at this time. Samuel P. Carson, the secretary of state, had retired on account of delicate health, and was succeeded by James Collingsworth, and Peter W. Grayson accepted the office of attorney-general, which had become vacant by the death of David Thomas. Col M. B. Lamar was appointed secretary of war, in the place of Rusk. Burnet's address published in the *Telegraph and Texas Register*, Sept. 13, 1836; extract in *Tex. Alm.*, 1861, 33-4. The attorney-general, Thomas, had been wounded in the leg by the accidental discharge of a pistol on board the *Cayuga*, on the removal of the government to Galveston, and died three days after. *Linn's Reminis.* 261.

[65] After Houston's departure from the Brazos, the *Yellowstone* steamed down the river. As she passed the Mexican lines at Fort Bard, her smoke-stack was riddled with bullets, and attempts were made to capture her with lassoes. Her helmsmen being protected by cotton-bales, she ran the gauntlet in safety and went to Galveston. *Id.*, 26; *Green's Journal. Exped. Mier*, 93.

Generals Filisola and Rusk, that they might exchange engagements to comply with the stipulations; prisoners were to be mutually released in corresponding numbers, rank and file; the excess of Mexican captives to be treated with humanity; and finally Santa Anna was to be sent to Vera Cruz as soon as it should be deemed proper.

In the secret treaty the same stipulations were reiterated, and in the third article Santa Anna solemnly pledged himself so to prepare matters in the cabinet of Mexico that the mission that would be sent thither by the government of Texas, should be well received, and that by means of negotiations all differences might be settled, and the independence that had been declared by the convention might be acknowledged. The fourth article provided that a treaty of comity, amity, and limits should be established between Mexico and Texas, the territory of the latter not to extend beyond the Rio Grande.[66]

Colonel Benjamin F. Smith and Captain Henry Teal were sent as commissioners to Filisola with the public treaty and full authority to ratify it on the part of General Rusk. The Mexican army had moved from Victoria to Goliad, and thence continued its retreat toward Matamoros. The Texan commissioners overtook Filisola at the little stream called Mugerero, between Goliad and San Patricio, and on its bank the treaty was ratified, May 26, 1836, Gen. Tolsa and Colonel Amat acting as commissioners on the part of Filisola.[67]

These treaties were not made without opposition in the cabinet. Robert Potter, secretary of the navy,

[66] The secret treaty containing these pledges was made at the suggestion of Santa Anna, who represented that it would be prudent that the stipulations relating to the recognition of the independence of Texas and her boundaries should not be promulgated until the Mexican president should be enabled to reinstate himself in power and secure its final ratification. *Tex. Ann.*, 1861, 34. Copies of the treaties will be found in *Id.*, 35–7; *Yoakum*, ii. 526–8; *Muilert's Tex.*, 112–4; *Niles' Reg.*, l. 413–4; *Id.*, *Index*, 98; *Santa Anna, Biog.*, 29–32; *Filisola, Represent.*, 68–70; *Bustamante, Mem. Hist. Mex.*, MS., vi. 45–8. *Democratic Review*, iii. 316–7.

[67] Copy of the Mexican ratification in *Filisola, Represent.*, 70–1.

and Mirabeau B. Lamar, secretary of war, were strongly opposed to entering into any negotiations with Santa Anna, who, they considered, had forfeited his life. On May 12th Lamar addressed a long letter to the president and cabinet in which he expressed his views on the subject of the disposition of the Mexican president and the other prisoners of war. He repudiated the idea that Santa Anna, if released, would ever adhere to any engagement he pledged himself to; indeed, he did not believe that he would have the power to do so, and he suggested that an exchange of prisoners should be made, according to rank and number, and that the balance of Mexican captives should remain in custody of the government till the conclusion of the war. But in the case of Santa Anna, he urged that no mercy should be extended to him, but that his punishment should be read from the code of Draco.[68] When milder measures, however, were finally adopted, General Lamar acquiesced in them, and was one of the most zealous vindicators of his colleagues in the cabinet, when they were shortly afterwards bitterly assailed by popular clamor on the subject of Santa Anna's release.

It is time that the reader should be made acquainted with some particulars in connection with the Texan navy and its operations. Early in the year, for the purpose of carrying out the ordinance for the establishment of a navy, two schooners, the *Invincible* and *Liberty*,[69] were purchased and equipped by McKinney and Williams, merchants of Quintana, opposite Velasco. Captain J. Brown was placed in command of the former and Captain William Brown of the

[68] Copy in *Foote*, ii. 321–32.

[69] The *Liberty* was the same vessel which had been fitted out by the citizens of Matagorda and retook the stranded *Hannah Elizabeth*, captured by the Mexican war vessel *Bravo*, in Nov. or beginning of Dec., 1835. She then sailed under the name of *William Robbins*. *Yoakum*, ii. 39; *Tex. Alm.*, 1860, 162; *Linn's Reminis.*, 259.

latter. The *Invincible*, of 125 tons burden, carried eight guns and was a fast sailer, the *Liberty*, of sixty tons burden, had four guns, was of stout construction and of ordinary speed. Two other vessels, the *Brutus*, Captain Hurd, about 130 tons and carrying eight guns, and the *Independence*, Captain Hawkins, of nearly the same size and metal, were purchased about the same time. These vessels were of great service in cutting off supplies for the enemy. Off the coast were the Mexican war vessels *Montezuma* and *Bravo*, charged with the importation of troops and supplies for the invading army. Early in April 1836, the *Invincible* fell in with the *Montezuma* off Brazos, Santiago, north of the mouth of the Rio Grande, and after an engagement of two hours crippled her and drove her ashore. The *Invincible* only sustained some injury to her rigging, which was soon repaired. Standing out from shore, Captain Brown fell in with the American brig *Pocket*, bound from New Orleans to Matamoros, and loaded with provisions for the Mexican forces. She was captured and brought into Galveston as a prize; her freight was of great assistance to the victors of San Jacinto who, with the large number of prisoners on their hands, were reduced to some straits for provisions.

General Rusk, with 350 men, had proceeded from San Jacinto in the direction of the retreating Mexicans, not with hostile intention, but with the object of observing whether the terms of the armistice were strictly carried out. Toward the close of May he was stationed at Victoria; and when the army received intelligence of the treaties which had been made, and that under its provisions Santa Anna would obtain his liberty, great indignation prevailed. The retreating Mexicans had not adhered to the strict letter of the public treaty, but had committed several acts of violence, and it was confidently believed that preparations were being made for the re-invasion of

Texas, which would be carried into effect as soon as it was known that Santa Anna had been released. On May 26th a letter signed by nearly all the officers of the Texan army, was addressed to President Burnet, in which, after setting forth the privations of the army and the want of provisions, charging the president with neglect in this matter, expressing the exasperation of the troops and peremptorily demanding to be immediately furnished with a sufficiency of supplies and clothing, they insisted that Santa Anna "be safely secured and placed at the disposition of the coming congress."[70] This letter was received in the afternoon of June 4th.

In fulfilment of their engagements, the Texan authorities on June 1st placed the dictator and his suite, consisting of Colonel Almonte, Colonel Nuñez, and his Secretary, Ramon Martinez Caro, on board the *Invincible* for their transportation to Vera Cruz. Vice-president Zavala and Bailey Hardiman, secretary of the treasury, had been appointed commissioners to accompany Santa Anna to Mexico, and as some time was spent in furnishing them with instructions and in preparing for their voyage, the vessel had not yet sailed on the 3d. On June 1st the steamer *Ocean* had arrived from New Orleans with 230 volunteers,[71] many of them of the roughest and lowest class to be found in that city. Generals Mennican Hunt, Thomas J. Green, and Colonel J. Pinckney Henderson were in command. The feelings of the citizens of Velasco with regard to Santa Anna's release, were those of intense dissatisfaction, but no violent demonstration had been made. When, however, the New Orleans volunteers landed and became informed of the action taken by the government, their exasperation knew no bounds. Public meetings were

[70] *Yoakum*, ii. 172–3; *Foote*, ii. 332–4. Copy of the letter and Burnet's reply in *Tex. Alm.*, 1861, 39–42.

[71] Both Santa Anna and Caro give 130 as the number. *Verdad, Idea*, 56, 102; *Santa Anna, Manif.*, 75. The figures in the text are those given by Gen. Green. *Journal, Exped. Mier*, 484.

held and inflammatory speeches made. The more violent threatened to put Burnet to death as a traitor, and tear Santa Anna to pieces. In the popular fury the executive was charged with treason and venality. He had accepted a large bribe, it was said, for the release of the Mexican murderer. The clamor was overwhelming, and it was seriously proposed at a cabinet council to make a simultaneous surrender of the government to the people. Burnet, however, was opposed to the adoption of such an extreme measure, and consulted General Thomas J. Green, who, while pledging his honor to shield the president and his cabinet from violence, expressed his opinion that the overwhelming will of the public should be obeyed, and Santa Anna remained on shore. Accordingly the president issued an order to Captain Brown to send the prisoners ashore. Santa Anna emphatically refused to obey, and Green, Bailey Hardiman, Hunt and Henderson, were deputed to go on board the *Invincible* and bring him off. The dictator gave way to an agony of terror, and it was necessary to employ the threat of force, to induce him to debark. In the afternoon of the 4th the captives were landed, to ensure their better security from violence, at the village of Quintana, opposite Velasco, where Santa Anna regained his composure.[72] On the 9th he addressed a protest to the government, proclaiming against the infraction of the treaty on the part of Texas, and appealing to the judgment of civilized nations. On the following day he received Burnet's reply, in which the Texan president, while deprecating Santa Anna's assertions of his ill-treatment as a prisoner, felt compelled to make the humiliating confession that the government, owing to "the influence of a highly excited popular indignation," had been constrained to deviate for a season from the terms of the treaty.[73] Thus the treaty—inadmissible under repub-

[72] *Green's Journal, Exped. Mier*, 484–7; *Santa Anna, Manif.*, 75, 98–100; *Cinco, Verdad. Idea*, 56–7, 126–9; *Tex. Almo.*, 1861, 38–43.

[73] Copy of protest and Burnet's answer in *Foote*, ii. 345–9.

lican rules of government—was broken.

With the object of dismissing Santa Anna from Texan soil, I shall somewhat anticipate events. He was placed in the custody of Captain Patton, sent from Victoria to hold and guard his person, by whom he was removed to Velasco, and thence on June 11th to the neighborhood of Columbia, where on the 27th he was shot at through the window of the house in which he was confined, by a drunken "American."[74] Meantime Stephen Austin returned from the United States and on July 1st visited the "illustrious captive." By his advice Santa Anna addressed a letter, dated July 4th, to Andrew Jackson, president of the United States, in which he honestly stated the events in connection with his re-confinement, and appealed to him for his interposition, on the grounds of humanity, expressing the wish that, by means of political negotiations, an end might be put to the war by the mutual recognition by the United States and Mexico of the independence of Texas.[75] While at Velasco, a young Spaniard named Bartólome Pagés concerted a plan to effect the escape of Santa Anna, and visited him at Columbia; but the scheme was detected.[76] The effect of this discovery was that the army determined to cause Santa Anna to be conducted to headquarters and tried by court-martial. Matters had proceeded so far that a captain with his command was sent to Columbia to conduct the prisoners to Goliad, where it was intended that the execution should take place on the spot where Fannin had been put to death. Houston, cured of his wound, had meantime returned,

[74] 'El 27 de dicho mes, muy de mañana se presentó un Americano ébrio preguntando por "el general Santa-Anna," . . . repentinamente se acercó á una pequeña ventana de nuestra habitacion, y . . . descargó el tiro de una pistola que llevaba oculta.' *Caro, ut sup.*, 58.

[75] 'Entablemos mútuas relaciones para que esa nacion'—the U. S.—'y la mexicana estrechen la buena amistad, y puedan entrambas ocuparse amigablemente, en dar ser y estabilidad á un pueblo que desea figurar en el mundo político, y que con la proteccion de las dos naciones, alcanzará su objeto en pocos años.' *Santa Anna, Manif.*, 102–3.

[76] For Caro's particulars about this plot see his *Verdad. Idea*, 57–69. Santa Anna charges Caro with having betrayed the scheme. *Manif.*, 76.

and was then at Aes Bayou. When made aware of the fact he protested against proceedings alike adverse, impolitic, and oppugnant to humanity. The arguments employed were too sound to be resisted. Texas, by Santa Anna's execution, he said, would lose all the advantage she had gained by his capture. Her future position among the nations of the earth would be gauged by her ability to deal humanely with a captive; by so doing she would gain respect; by the other course of action she would become classed with savages. Policy, apart from other considerations, ought to have weight. With past experiences as a guide, the army could not fail to recognize that by taking Santa Anna's life, the Texans in captivity would be placed in the highest degree of danger. The attention of the United States being attracted to Texas, it would be disrespectful to that nation if extreme measures were adopted, thereby endangering the safety of Americans in Mexico. By this interference on the part of Houston, Santa Anna was not molested. He was, however, removed to Orazimbo and confined in irons.[77] He received Andrew Jackson's reply, dated September 4, 1836, in which the president of the United States, while disclaiming the intention of that government to interfere—inasmuch as the Mexican government had notified him that so long as he was a prisoner, no act would be regarded as binding by the Mexican authorities,—he expressed the pleasure it would give him to offer his good services, if Mexico would signify her willingness to avail herself of them. Houston, having been elected to the presidency of the Texan republic, released Santa Anna from his fetters, and being convinced that a further detention of the prisoner would not conduce to the interests of Texas, sent him with his own consent, accompanied by Almonte, under custody of George W. Hockley, inspector general of the army,

[77] He states that he and Col Almonte were kept in such durance for fifty-two days.

to Washington, the capital of the United States.[78] Santa Anna arrived there January 17, 1837, and had several interviews with President Jackson, who received him with great consideration. On July 26th he left that city and embarked at Norfolk, on board the *Pioneer*, for Vera Cruz, where he arrived about the 23d of February. Thence he retired to his estate of Manga de Clavo. At the presidential election of Mexico, March 1, 1837, he was ignominiously defeated, Bustamante being chosen by a large majority,[79] which event was so signal a mark of his unpopularity, that he signified his design of retiring to private life.[80]

[78] In the New Orleans *Standard*, it was stated that the Texan congress passed a resolution providing that Santa Anna and Almonte should not be released without concurrence of the Senate, Houston vetoed the resolution, and congress thereupon passed it by a constitutional majority of two-thirds. Houston then pronounced the resolution unconstitutional, and a usurpation of the executive authority and set Santa Anna free, in defiance of the congress. *Niles' Reg.*, li. 321; *Green's Journal, Exped. Mier*, 18.

[79] Bustamante had fifty-seven votes out of sixty-eight cast; Santa Anna had only two. *Hist. Mex.*, v. 179–80, this series.

[80] For his future career consult vols. v. and vi. *Hist. Mex.* this series.

The authorities consulted for the five preceding chapters are the following: *Filisola, Mem. Guerra Tex.*, i., ii., passim; *Id., Rep. Sup. Gob.*, 1–82; *Foote's Texas*, ii., passim; *Yoakum's Hist. Tex.*, i., ii., passim; *Almonte, Not. Estad. Tex.*, 20–88; *Wilson's Amer. Hist.*, 637–65; *Young's Hist. Mex.*, 239–62; *Thrall's Texas*, 168–651, passim; *Niles' Register*, xxxix–li., inclu. See indices under Tex. and Mex., lxiii. 145, 194–5; *Kennedy's Tex.*, ii., passim; *Tex. Almanac*, 1858, 1859, 1860, 1861, 1868, 1869; *Tex. Col. Doc.*, MS. and Print, Nos. 1, 2, 8 to 11, inclu.; 13 to 15, inclu., 17, 18, 20 to 51, inclu., 59 to 62, inclu., 64; *Morphis, Hist. Tex.*, passim; *Arrangoiz, Mej.*, ii. 232–278; *Arroniz, Hist. Mex.*, 270–1; *Arrillaga, Recop.*, 1831, 430; 1832–33, 105; 1833, 89, 132–7, 433; 1834, 47–50; 1835, 100–7, 145–6, 191–5, 574–6; 1836, passim; *Baker's Hist. Tex.*, 35–101; *Newell's Rev. Tex.*, passim; *Niles S. Am. and Mex.*, i. 200–365, passim; *Pap. Var.*, 55, No. 17; 75, No. 14; 99, No. 22; 111, No. 2; 141, No. 12; 143, No. 19; 149, No. 15; 152, No. 13; 182, No. 8; 167, No. 10; 213, No. 2; *Urrea, Diario Campa., Tex.; Caro, Verdad. Idea, Democratic Review*, iii. 132–45, 305–20; *Dewees, Letters from Tex.*, 157–217; *Doc. sobre Mex.*, No. vi., vii.; *Dublan* and *Lozano*, iii. 64–5; vi. 660; *Edinburgh Rev.*, No. 147, 251, et. seq.; *U. S. H. Jour.*, Cong. 24, Sess. 1, 1091, 1100–1; *Sen. Doc.*, Cong. 24, Sess. 1, vi., No. 415; *H. Ex. Doc.*, Mess. and Doc., Cong. 29, Sess. 2, No. 4, 9–18; Tornel, *Tej. y Estad. Unid.*, 1–98; *El Tiempo*, Aug. 14, Sep. 18, 1834; *Thompson's Recol., Mex.*, 70–3, 174–7; *Swisher's Am. Sketch Book*, v. No. 6; vi. Nos. 1, 2, 3, 5 and 6; *Fournel, Coup d'Oeil*, 12–44; *State Gaz.*, 127–8, 139–41; *Santa Anna, Biog. del Gen.*; *Id. Tex. Camp.*, pp. 108; *Id., Vindicacion*, p. 8; *Id. Apelacion al buen criterio*; *Rockwell, Span. and Mex. Law*, 623–7; *Roa Bárcena, Recuerdos*, 538–41, 653–61; *Rivera, Hist. Jalapa*, iii. 263–4, 272–84, 313–14; *Quarterly Rev.*, lxi. 333–41; *Pinart's Col.*, Print Nos. 248, 374, 386, 389, 450, 457; *La Oposicion*, Jan. 6, Ap. 25, 28, May 1, 5, 11, June, 1835; *North Am. Rev.*, xliii., 233–4, 244–53; *Mex. Sec. Estad.*, 1835, 38; *Id.*, 1830–32, Doc. 1; *Mex. Mem. Minist. Just.*, 1833, 8–9, 50–1; *Id., Relaciones*, 1832, Annex, 1, 5–6, 13–4; 1833, 6–9; 1835, 37–8; *Id., Interior*, 1838, 19; *Id., Guerra*, 1839, 5, 11; *Mex.*

Manifiesto del Corg., 1836; *Pap. Var.*, 182, No. 4; *Id., Informe, Comis. Pesq.*, 1874, 10; *Id., Col. de Leg., Ord.* 1853, v. 4; *Id., Legis. Mej.*, 1853, 89–90; *Id., Col. de Leg. y Decret.*, 1840, 260–1, 768–9; *Mayer's Mex. Aztec.*, i. 320–21, 329–30; *Maillard's Hist. Tex.*, passim; *Linn's Reminis.*, passim; *Lorenzaniere, Mex. et Guat.*, 231–9; *Hunt's Address*, 1–29; *Gregory's Hist. Mex.*, 53–6; *Lester's Houston*, 46–140; *Potter's Hist. U. S.*, 686–9; *McCulloch' Comp. View*, 700–8; *Jenkin's Mex. War*, 35–7; *Jay's Mex. War*, 16–8; *Holley's Tex.*, 233–410, passim; *Alaman, Mej.*, v. 873–5; *Guerra entre Mex. y Estad. Unid.*, 16–20; *Gutierrez, Carta y Opin.*, 13; *Hist. Doc. Col.*, i. 211; *Bustamante, Voz de la Patria*, v. Sup. No. 2; x. MS. 136; xi. MS. 22–9; *Id., Mem. Hist. Mex.*, MS., ii., 86–90, vi. 35–8; *Id., Hist. Invasion*, i. 6–8, 43–4; *Id., Galinda Mex.*, ii. 15–39; *Domenech, Hist. du Mex.*, ii. 138–54; *Id., His. Adventures*, 20 et seq.; *Gamboa, Impugnacion*, 7–11; *Gould's Alamo City Guide*, 5–23, 31–2; *Austin, Espos. sobre Tej.*, p. 32; *Andrade, Doc. Ensc. Bejar*, 1–24; *Amigo del Pueb.*, Oct. 18, 1845; *U. S., Repub. of*, 57–8, 118–22, 218–26; *Varios Impresos*, 2, No. vi., passim; *Vallejo, Col. Doc. Mex.*, MS., i., No. 73; *Vallejo Doc.*, ii. 151; *Howitt's Hist. U. S.*, ii. 344–5; *White's Col. Laws*, i. 514–5, 523; *Barreiro*, 1–36; *Houston's Message*, May 22, 1838, p. 23; *Villa-Amor, Rep. Santa Anna*, 14–6; *Pinart, Col.*; *Green's reply to Houston*, 7–15, 52–6, 63–4; *Houston's Tex.*, i. 214–54; *Gilbert's Alabama Rep.*, 3d Am. Edit., 116; *Mex. Ayunt. Hist. Guerra*, 16–29; *Ripley's War Mex.*, i. 33–6, 40–1; *Woodman's Guide to Tex.*, 13–6, 67–701, 97–115; *Suarez y Navarro, Hist. Mej.*, 247; *Fisher's Memor.*, 3–87; *Texas Repealed*, 1–15; *Id., in 1840*, 219–20; *Id., Laws Rep. Tex.*, i. 3–7, 9–25; *Id., The War in, instigated by slaveholders*, etc., 1836, p. 56; *Id., Address rel., Gale. Bay*, 22; *Id., Address of Wharton*, 47–53; *Id., Battle San Jacinto*, Austin, 1878, pp. 45; *Id., Insurrection*; *Jones' Repub. of Tex.*, 129–160; *Holls' Wild Life in Far West*, 32–45; *Edwards, Hist. Tex.*, 14–17; *Crockett, Life of*, 369–70, 383–405; *Caballos, Vind. de Mex.*, 43–68; *Caballero, Hist. Alm.*, 13; *McCall's Letters from Front.*, 295–9; *London, Geog. Soc. Jour.*, xiii. 202; *Payne's Hist. Europ. Col.*, 310–11; *Hutchinson, Rem.*, 205–8; *Willard's Last Leaves Am. Hist.*, 21–33; *Tejas Lig. Indic. Usurp.*, 7; *Cong. Debates*, 1836–7, xiii. 524–5; *Sen. Doc.*, Cong. 24, Sess. 2, No. 84, 1–4; *Hogg's Life*, 1; *Napa County Reporter*, Ap. 14, 1877, Ap. 5, 1878; *Cordova's Tex.*, 102, 144–5; *Cor. Atlant.*, May 9th, June 6, 1835; *Baker's Rept., Disposal of Santa Anna*, Columbia, 1836, p. 17; *Tex. Misc. Pamph.*, No. 16; *Hanford's Tex. State Rep.*, 1878, 29–30; *Santa Maria, Espos. y Protest.*, No. iii. 13; *Hasskin*, in *Blanchard's, S. Juan de Ulua*, 531–2; *Crane's Hist. Washington, Tex.*, 15–8, 21–3; *Rosa, Ensayo*, 31; *The United Service*, Aug. 1885, 168 et seq.; *San José Argus*, Ap. 14, 1877; *San Rafael Jour.*, Dec. 18, 1879; *Stockton Independent*, Ap. 21, 1877; *Mariposa Gaz.*, Ap. 7, 1877; *Falconer's Discov. Mission.*, 53; *McClellan's Republicanism in Amer.*, 105; *Dunbar's Amer. Pioneer*, 1–3; *Mexicanische Zustände aus den Jahren*, 1830–2, i. 77; *Mühlenpfordt, versuch einer get.*, ii. 508; *Grattan's Civil Amer.*, ii. 291; *Perez, Dic. Geog. Estad.*, i. 267–72; *American Alm.*, 1837, 277; *Robert's Descrip. Tex.*, 17–21; *Winthrop, Report of the trial of Thomas M. Thompson*, etc., New Orleans, 1835, p. 44; *Mex. Pamph.*, ii. No. 9; *Zavco, Hist. Conq.*, i. 107–8; *Peterson's Mill. Heroes*, ii. 24; *Rowland, Regions Nouvelles*, 27; *Putnam's Month. Mag.*, iii. 178–80; *Reist. Espa ..* May 26, 1836; *Shea's Catholic Mis.*, 87.

CHAPTER XII.

THE REPUBLIC OF TEXAS.

1836–1838.

Filisola Superseded—Vain Threats—The Texan Navy—Commissioners to the United States—Morfit's Report—General Gaines Crosses the Sabine—Gorostiza's Protest—He Demands his Passports—Passive Character of the War—Return of Austin—The Elections—Political Parties—Houston Chosen President—Meeting of the First Congress—Houston's Inaugural Address—His Cabinet—Legislative Acts of Congress—The National Seal and Flag—Death and Biography of Austin—Condition of the Republic—Recognition of her Independence by the United States—Reopening of Congress—The Slave Question—Passage of the Land Law—Its Provisions—Brighter Prospects—Indian Warfare—Financial Operations—Lamar Elected President.

On the 15th of May, 1836, the Mexican government received a despatch from Filisola conveying the news of the disaster in Texas. On the same date Tornel, the secretary of war, sent two official communications to that general, in the first of which he instructed him to address the Texan commander-in-chief with the object of procuring Santa Anna's release, or at least the consideration due to his high dignity. Filisola was also directed to make every effort to save the remainder of the army by concentrating it at a point convenient for the receipt of supplies. The preservation of Béjar was absolutely necessary. With regard to the prisoners he was authorized to propose an exchange, and for that purpose to preserve the lives of Texan prisoners then in his power, and also of such as might be taken in future. The so-called armistice agreed to by Houston and Santa Anna was

the subject of the second despatch. Filisola's action in observing it was approved by the government; at the time he was reminded that Santa Anna being a prisoner had not been a free agent in the matter. The government, therefore, wished Filisola to act with the greatest prudence, and while endeavoring not to compromise in any way the life of the illustrious captive, he was to avoid pledging the honor of the nation. Under no circumstances was the recognition of the independence of Texas to be taken into consideration, as the nation would never agree to it.[1]

When Filisola received these despatches, May 28th, Béjar had already been evacuated, Andrade having demolished the fortifications of the Alamo and joined him at Victoria; the public treaty with Santa Anna had been ratified by him; and the whole Mexican army had already crossed the Nueces. On the 19th of May, the government having recovered from the first effects of the blow, Tornel addressed another despatch to Filisola in which he urged upon him the obligation of endeavoring to preserve the conquests already acquired, instructed him to discontinue his retreat, secure all sustainable points, and await reënforcements, as the government was already occupied in organizing a division of 4,000 men, which would embark at Vera Cruz for Matamoros.[2] But these instructions arrived too late; Urrea was already at Matamoros,[3] and Filisola was approaching that city. The change of the government's intentions placed the commander-in-chief in a dilemma. He assembled the generals in council and laid before them the new orders he had received, expressing his readiness to countermarch if they considered the movement practicable. It was unanimously agreed that, in view of

[1] Copy of the despatches in *Filisola, Represent.*, 66–8.
[2] Copy of this despatch and Filisola's reply in *Id.*, 76–7 and 62–6.
[3] He had been sent in advance from Victoria, which place he left May 14, reaching Matamoras May 28th. Before his departure from Victoria he had in vain urged Filisola not to retreat further. *Diario*, 30. Henceforth there was discord between the two generals.

the deplorable condition of the troops and the want of resources, such a movement was impossible. Filisola, therefore, continued his retreat, and June 12th received from the Mexican government a despatch instructing him to resign the command to General Urrea, and assigning Monterey, Leona Vicario, or Matamoros as his place of residence according to his choice. Filisola immediately halted the troops then on the march, drew them up in line and, in the absence of Urrea, resigned the command to General Andrade ad interim.[4] On the following day he started for Leona Vicario, and Andrade, in spite of orders from Urrea to return to Goliad continued to march to Matamoros. On June 14th he received a despatch from Urrea, commanding him to halt the army immediately on its receipt, place General Gaona in command, and report in person at Matamoros. But the salvation of the troops depended on their reaching their destination. Not a day passed but some of them perished on the way, and Andrade, in defiance of orders, pushed forward reaching Matamoros, June 18th. Thus ended Santa Anna's invasion. Not a Mexican soldier remained on Texan soil, and of the imposing array with which the would-be oppressor of the Anglo-Texans entered the country, barely 4,000 troops, in most wretched plight, re-crossed the Rio Grande.

Meantime the treaty dropped through. A few prisoners appear to have been released on the part of the Mexicans; and it is curious to observe that while the Texans even detained Woll,[5] and do not seem to have released any of their captives, captains Carnes

[4] *Filisola, Mem. Tej.*, i. 330–41; *Id., Mem. Guerra Tej.*, ii. 505–9. It appears that Urrea as early as May 11, 1836, had despatched a communication from Victoria to the government reflecting upon Filisola's course of action. This despatch induced the government to remove Filisola from the command, and the answer to it bears the same date, May 31, 1836, as that addressed to Filisola informing him of his removal. *Mem. Tej.*, i. 343–51; *Urrea, Diario*, 108–111.

[5] He rejoined the Mexican army on the day on which Filisola surrendered the command. *Filisola, Mem. Tej.*, i. 340.

and Teal were sent as commissioners to Matamoros, to inform themselves respecting the restoration of slaves and property belonging to Texans. In reprisal for the treatment extended to Woll on their arrival early in June, they were confined in prison, whence, however, they soon escaped through the aid of outside friends, but not before they had created a false alarm in Texas by reporting that the Mexicans were making vigorous preparations for a second and early invasion.[6] The fact is, the Mexican government would fain have continued hostilities, and on May 21st an act was published setting forth that it was the intention of the government to prosecute the war with vigor, and declaring that all treaties and stipulations made by Santa Anna while in captivity would be regarded as null.[7] But the political condition of the country prevented any serious demonstration. Centralism was in peril; the states were beginning to proclaim in favor of federalism; and in the confusion of affairs, the threatened invasion of Texas was impracticable. The 4000 troops were never sent from Vera Cruz, and the ill-conditioned soldiers at Matamoros, under Urrea, constituted all the force arrayed against the revolted province. Nevertheless the Texans made preparations to resist invasion and before long over 2000 men, mostly volunteers from the United States,[8] were in the field, and minor hostilities were carried on.

Mayor Isaac Burton with twenty mounted rangers, while scouring the coast, received news of the arrival of a suspicious looking craft in the bay of Cópano. On the 3d of June he ambushed his men near the beach, seized the crew of a boat sent ashore, and manning it with sixteen of his rangers, captured the vessel, which

[6] *Urrea, Diario*, 44–5, 100–1; *Tex. Alm.*, 1860, 74–6; *Id.*, 1861, 45.

[7] Copy of act and of others relative to the action taken by the government in *Arrillaga, Recop., Ene.— Jun.*, 1836, 430–7.

[8] Early in June, Pres. Burnet made a contract with Gen. Memican Hunt, to introduce from the U. S., a division of 4,000 men. Hunt's success was but partial. *Tex. Alm.*, 1861, 44.

proved to be the *Watchman*, loaded with provisions for the Mexican army. The vessel was ordered to Velasco, but was detained by contrary winds. On the 17th, the *Comanche* and *Fanny Butler* anchored off the bar. The captains were decoyed on board the *Watchman*, and their vessels being captured, were found to be similarly freighted. All three were sent to Velasco and condemned. Their cargoes, worth $25,000, were of great service to the Texan army.[9] Henceforth Burton and his rangers became known as the 'Horse-marines.'

Nor was the Texan navy inactive. The *Invincible*, after being taken by a United States man-of-war, at the mouth of the Mississippi, on the charge of piracy, and acquitted by the judicial courts, made a cruise on the Mexican coast, visiting Matamoros, Tampico, Vera Cruz, and Tabasco. Returning to Velasco, she was sent in September to New York for repairs. In March, 1837, this vessel returned to Galveston, and some time afterward captured the Mexican schooner *Avispa*.[10]

On August 25th of the same year, the *Invincible*, in company with the *Brutus*, arrived at Galveston bar with a Mexican schooner in tow. The *Brutus* crossed in safety with the prize, but the *Invincible*, unable to get in, was attacked on the following day by two armed brigs of the enemy. In going out to her aid, the *Brutus* ran aground, and the *Invincible*, being overpowered, in endeavoring to escape struck on the breakers near the southeast channel. The crew gained the land, but the vessel went to pieces during the night. The schooner *Liberty* had been sent to New Orleans, and was there sold to defray her expenses.

[9] *Telegraph*, Aug. 2, 1836; *Yoakum*, ii. 180–1; Morfit in his report to the U. S. government places the value of these vessels' invoices at about $20,192. *Exec. Doc.*, cong. 24, sess. 2, No. 35, p. 29.

[10] Called by Yoakum—ii. 213—*Alispa*, and thus copied by Swante Palm in *Baker's Tex.*, 78. The *Tex. Alm.*, 1860, 164, gives *Obispo* as the name of the vessel; but it is probable that as *b* and *v* are frequently used for each other in Spanish America, the *l* in Yoakum is a misprint for *b*, and that the right name of the schooner was *Avispa*, the *Wasp*.

The *Independence*, in April 1837, fell in with two Mexican brigs-of-war, the *Vencedor del Alamo* and the *Libertador*, and being overpowered, was taken into Brazos Santiago, whence the captives were removed to Matamoros. Thus the *Brutus* was the last remaining vessel of the old navy, and she was lost in Galveston harbor during the severe equinoctial gale of 1837, which, besides destroying shipping to the number of fourteen or fifteen vessels, flooded nearly the whole city. In April of this year, the *Champion* and *Julius Cæsar*, freighted with provisions for the Texan army, were captured by the enemy.[11]

In the United States, the interest felt for Texas was great, and much material aid was furnished to the struggling republic. Public discourses were delivered at different places by the commissioners, Austin, Wharton, and Archer, who succeeded in enlisting the sympathy of the people. Appeals were made for moral support, and the object of the Texans declared to be independence as a new republic or annexation to the United States.[12] After the battle of San Jacinto, the desire for annexation became widely spread; and on May 30th, President Burnet, in view of the general wish, appointed James Collingsworth and Peter W. Grayson as commissioners to Washington to ask for the friendly mediation of that government in procuring from Mexico the recognition of the independence of Texas, to endeavor to obtain a like recognition from the United States, and to state that it was the opinion of the Texan government that the annexation of the new republic to the American union would be most acceptable to the people of the former. When the commissioners reached Washington, congress had

[11] *Id.*, 1869, 163–6, where will be found a list of officers who served in the Texan navy from 1835 to 1837 inclusive. *Yoakum*, ii. 212–13, 216–17; *Baker's Tex.*, 77–80.

[12] See Austin's address to the people of Louisville, Kentucky, March 7, 1836, in *Hollad's Tex.*, 252–80; and his letter to Houston of June 16, 1836, in *Yoakum*, ii. 177; also Wharton's address in N. York, Apr. 26, 1836, in *Tex. Mex. Princph.*, no. 14.

adjourned, but there was among its members a general feeling in favor of the recognition of the independence of Texas.[13] Nothing was immediately accomplished beyond the formal presentation of the matter to the authorities at Washington; but President Jackson sent Henry M. Morfit as a commissioner to Texas, to inform himself, and report on the military, political, and civil condition of the people. The date of Morfit's first despatch is August 13, 1836, that of his last, September 14th of the same year. His report is pretty full. He assigns a population to Texas of nearly 58,500 souls.[14] He expresses surprise that Texas has carried on a successful war so long with so little embarassment to her own citizens or treasury, and estimated that the probable total amount of her outstanding debts did not exceed $1,250,000.[15]

The deep interest taken by the United States in the success of Texas was naturally displeasing to the Mexican government. During the period from March 9 to October 15, 1836, the Mexican minister, Gorostiza, maintained a correspondence with the department of state relative to the ambiguous neutrality observed by the United States during the Texan revolution. In his letters he complains of measures

[13] The two houses, acting separately, passed resolutions 'that the independence of Texas ought to be acknowledged by the U. S. whenever satisfactory information should be received that it had in successful operation a civil government, capable of performing the duties and fulfilling the obligations of an independent power.' *Exec. Doc.*, cong. 24, sess. 2, no. 35, 1, where will be found copy of Morfit's despatches.

[14] Anglo-Americans, about 30,000; Mexicans, 3,470; Indians, including 8,000 northern Indians from the United States, about 20,000; and 5,000 negroes. *Id.*, 12–13. Yoakum's figures, ii. 197, derived from the same source and copied by Thrall, *Hist. Tex.*, 286, are incorrect. But Morfit himself is somewhat contradictory.

[15] Thus exhibited in Morfit's report of Sept. 4, 1836, *ut sup.*:

Treasury orders already issued and debts under consideration of the auditor's office	$309,280
Estimate of supplies exclusive of the amount audited	250,000
Loans	100,000
Amount due navy, exclusive of the amount audited	60,000
Amount due army, exclusive of the amount audited	412,000
Amount of civil contingent expenses, exclusive of amount audited	118,720
	$1,250,000

in progress for recognizing the independence of Texas, of the entrance of armed bands from the United States into that country, especially of the occupation of Mexican territory, by United States forces, and enumerates several instances of violation of the neutrality laws.

The particulars connected with the occupation of Texan territory by United States troops are as follow: It was well understood that the Indians in the eastern and northern regions of Texas were assuming a hostile attitude, having been visited by Mexican agents, who strove to persuade them to take up arms. On January 23, 1836, General Edmund Gaines was appointed to the command of the United States troops on the western frontier of Louisiana. His instructions were that, in view of the war between Mexico and Texas, strict neutrality was to be observed, and none of the contending parties were to be allowed to cross into territory of the United States. Hostile incursions of Indians, however, directed either against the Mexican or Anglo-American states were to be prevented by force. Gaines replied March 29th; and after referring to scenes of barbarism in Texas added that, in case he noticed a disposition on the part of Mexicans to menace the frontier, he should deem it his duty to cross the boundary and meet the marauders. Under date of April 25th the secretary of war, while averring that it was no wish of the president to acquire any portion of Mexican territory, nevertheless approved of Gaines' suggestion; but, in no case, was he to advance further than Nacogdoches. Gaines on April 8th had called upon the governors of Louisiana, Mississippi, Alabama, and Tennessee for reënforcements, but recalled his requisition soon after, believing from later information that the troops would not be wanted. On the 14th of the same month, information was received by him from General Mason, commandant at Nacogdoches, to the effect that a large

number of Mexicans and Indians were concentrated with hostile intentions about sixty miles from that town. It appears that Irvin, the alcalde of Nacogdoches, made this statement to Mason on April 12th —a statement which was found to be greatly exaggerated. Gaines consequently ordered up the squadron of United States dragoons and six companies of infantry from Fort Gibson to Fort Towson, on Red River, went in person with fourteen companies, namely, the sixth regiment and four companies of the third United States infantry, to the Sabine River, and there encamped. Owing to the victory of San Jacinto, and the retreat of the Mexicans, the Indians, whatever might have been their original intentions, now showed a disposition favorable to the white men, and there does not seem much reason for Gaines' remaining on the bank of the Sabine. Nevertheless, in their excited state, it was not unlikely that the Indians would commit depredations, and on May 19th a large body of them appeared before Fort Parker, on the head waters of the Navasota. There were only six men and some women and children in the place. Attempts at conciliation were made in vain; several of the men were killed, the fort was plundered, and some of the women and children were carried into captivity.[16] On June 28th Gaines received a letter from Rusk, then at Victoria, stating that the Mexicans, 7,000 strong, were advancing from Matamoros, their motto being, "Extermination as far as the Sabine, or death." These circumstances combined, induced Gaines to consider the frontier again in danger. Accordingly on the day on which he received Rusk's letter, he repeated his requisition—which this time was disapproved by the president—and sent a detachment of regular troops under Colonel Whistler, to take post near Nacogdoches, instructing him July 11th to occupy that town and fortify it with a small breast-work and block-houses.

[16] Full account of this massacre in *Shield's Fall of Parker's Fort*, MS., fols. 18.

When Gorostiza became aware that an actual violation of Mexican territory on the part of the United States had occurred, he reiterated his representations; and not satisfied with the assurances of the government at Washington, that the measures adopted were of a temporary and purely defensive character, by letter of October 15th he declared that he considered his mission at an end, and asked for his passports, which were sent to him on the 20th of the same month, diplomatic relations between the two countries being thus broken off. Gaines was relieved of his command by Brigadier General Arbuckle, who was instructed, under date of October 10th, to report on the condition of affairs. Nevertheless similar directions to those sent to Gaines were given to Arbuckle, to whose discretion the retaining possession of Nacogdoches was in a great measure left. He was informed by the secretary of war that it was not in the power of the department, with its limited information, to give any positive order in regard to the further occupation of the post, but he was instructed to withdraw the troops stationed there, unless he had in his possession information satisfying him that the maintenance of it was essential to the protection of the United States frontiers, and to the due execution of treaty stipulations.[17]

Viewed in an impartial light, the action of the United States government cannot be regarded as

[17] *House Rep.*, cong. 24, sess. 1, No. 256, 1–61; *Pub. Doc.*, 1835–6, Vol. vi; *Cong. Debates*, 1835–6, xii. 3511–48; *Tex. Corres.*, in *Pap. Var.*, iii. No. 1; *Exec. Doc.*, cong. 24, sess. 2, No. 2, 1–101, 105; *Cong. Debates*, 1837, xiv. 176–249; *H. Ex. Doc.*, cong. 25, sess. 2, Vol. iv. No. 190, 1–120; *Mex. Corres. about Paso del Sabine*, 122; *Niles' Reg.*, l. 162, 207–9, 364–5, 377, 384–6, 402; *Id.*, li. 24, 33, 87–8, 97, 113, 129, 194, 369, 378, 385, 409–12; *Morphis*, 333, 353–4; *Jay's Mex. War*, 23–30. The government at Washington considered that they were authorized to send troops into Mexican territory by the 33d article of the treaty between the two nations, which required both the contracting parties to prevent by force all hostilities and incursions on the part of the Indian nations living within their respective boundaries, so that the United States will not suffer their Indians to attack the citizens of the Mexican states, nor will the Mexican states suffer their Indians to attack the citizens of the United States. As the Indians west of the supposed boundary were assuming a warlike attitude, and Mexico had no troops on the ground to keep them quiet, the U. S. considered themselves justified in assuming an advanced position temporarily in their own defence.

other than subterfuge, and unfair to a neighbor from which it desired to steal territory. While making the strongest assurances that neutrality should be observed, and issuing orders to that effect, it cannot be denied that the latter were easily evaded, and the former counterbalanced by the moral support secretly extended to Texas. At the same time it must be observed that the Mexican government in its future conduct in regard to the revolted province showed neither prudence nor foresight, and rendered the war, on her part, with Texas a farce. Mexican patriotism was excited, and the Texan war used as a pretext for levying contributions; henceforth it assumed a passive character, and became a rallying cry of political parties as a means of their advancement. Says a Mexican historian of repute, "With the failure of Santa Anna's expedition against Texas, and considering the intentions of the United States, the Mexican government ought to have rid itself of that province by a convention with the United States, as did Spain in the case of Florida in 1818, endeavoring thereby to form a nation between Mexico and the United States, which in time would counterbalance the preponderance of the north; but the government and its enemies made the reconquest of Texas an object of charlatanism, and a party weapon, both sides urging the continuation of the war as necessary for the vindication of the national honor, though they had neither the will nor the power to carry it on.[18]

By July the Texan army had increased to 2,300 strong, and General Rusk experienced much difficulty in preventing confusion. Houston was at this time at Nacogdoches, and according to Yoakum addressed several communications during that month to Gaines, which may have had some influence on his decision to occupy Nacogdoches. About the first of the month the government appointed Colonel Mirabeau Lamar

[18] *Rivera, Hist. Jalapa*, iii. 290–1.

major-general of the army, who on his arrival at head-quarters on the 14th found so strong a feeling expressed against the right of the cabinet to supersede General Houston that he was constrained to put to the vote of the troops the question, whether the army were willing to receive him as commander-in-chief. This being done, only 179 votes were found to be in his favor. Nevertheless Lamar began to act as commander-in-chief, which caused such dissatisfaction that many of the men began to leave the camp. Whereupon Lamar called a meeting of the officers, the discussion at which resulted in his retiring.[18]

As the Mexicans were unable to carry out their meditated re-invasion, and the rumors of such having proved deceptive, it was proposed on the part of the Texan leaders to make a descent upon Matamoros, and with that object detachments were sent to Béjar and San Patricio on the river Nueces. Two mounted companies were despatched to the former place, while 500 men, also mounted, were stationed at San Patricio, under Brigadier-General Felix Houston, who had lately arrived from the United States with a considerable force. Owing, however, to the want of means to coöperate by sea, the project was abandoned.

Early in July the commissioners, Austin, Archer, and Wharton returned, having accomplished much in arousing sympathy in the United States for Texas. On the 23d of the same month, tranquillity for the time assured by the political confusion in Mexico, President Burnet issued a proclamation for the elections of president, vice-president, and senators and representatives in congress. The first Monday in September was appointed election day, and the senators and representatives were to assemble at Columbia on the first Monday in October following.[19] The

[18] Lamar argued that Houston had forfeited his position as commander-in-chief, by leaving Texas without a furlough. See Gen. Felix Huston's account of this affair in *Yoakum*, ii. 183–8; *Tex. Alm.*, 1861, 40.

[19] Copy of proclamation in *Id.*, 1861, 48–9. It provided that in the pre-

managers of the elections were to ask each voter whether he was willing to clothe his senators and representatives with conventional power to revise and amend the constitution; also whether he was in favor of the adoption of the constitution as it stood, or of its rejection, or revision and amendment by the congress. Moreover as it was important for the interests of the country that the people should determine whether they were in favor of annexing Texas to the United States, the managers were required to put the question direct to each voter, and make a return of the number of votes for and against it.

Three candidates were nominated for the presidency, Stephen F. Austin, Sam. Houston, and the late governor Henry Smith. Houston at first was unwilling to accept his nomination, but was induced to do so on the consideration that there being two political parties in Texas, known as the Austin and Wharton parties —the ostensible head of the latter being Governor Smith—he became impressed with the belief that were either Smith or Austin elected, the opposition to the administration would be such as to be most detrimental to the interests of the young republic. The situation required the united efforts of all, and as he was identified with neither party, he was of the opinion that in case of his election he would be able to har-

cinct of Austin there should be elected one representative to congress; in Brazoria, two; Béjar, two; Colorado, one; Sabine, one; Gonzalez, one; Jefferson, one; Goliad, one; Matagorda, one; Mina, two; Nacogdoches, two; Red River, three; Victoria, one; San Augustine, two; Shelby, two; Refugio, one; San Patricio, one; Washington, two; Milan, one; and Jackson, one. From the senatorial district of Béjar, there should be elected one senator; from San Patricio, Refugio and Goliad, one; from Brazoria, one; from Mina and Gonzalez one; from Nacogdoches, one; from Red River, one; from Shelby and Sabine, one; from Matagorda, Jackson and Victoria, one; from Austin and Colorado, one; from San Augustine, one; from Milan, one; from Jasper and Jefferson, one; from Liberty and Harrisburg, one; and from Washington, one. In consideration that a large number of persons were serving in the army, and might thereby lose their right of sufferage, it was ordained that all such persons entitled to vote might do so by holding an election, and sending the returns to the managers of the election at the capital of the precinct of which they were citizens; the name of each voter being taken down in writing and forwarded with the returns. The same rule applied to persons absent from precincts that had been temporarily abandoned.

monize the two factions, and organize a government that would triumph over all difficulties.[1] Houston's popularity at this date is evidenced by the result of the polls. He was elected president by a large majority, Mirabeau B. Lamar being chosen vice-president.[2] The constitution was adopted almost unanimously, as also the proposition of annexation.

On October 3d, the first Texan congress met at Columbia, and on the following day President Burnet delivered his message. It is a somewhat lengthy document, but represents too truthfully the events connected with his administration and the condition of the country. He describes the state of the army and navy, and calls attention to the defectiveness of the military organization and the want of more war vessels. The judicial department, he stated, was in a very imperfect state, and the land question was one which would require serious consideration. He trusted that the titles of the early settlers would not be encroached upon, and that the present congress and all succeeding ones would promptly and decisively put the seal of their reprobation upon all sinister and unrighteous speculations in the public domain. He concluded by urging the members to banish from their council all party spirit and political intrigue.[3]

After using his best endeavors to conciliate the Indians, Houston left Nacogdoches for Columbia, where he arrived on October 9th. By a provision of the adopted constitution, he could not enter upon the duties of his office before the second Monday in December next succeeding his election,[4] but both President Burnet and Vice-president Zavala were equally willing to retire from office, and on the 22d of October

[1] See his letter to Guy M. Bryan of Nov. 15, 1852, quoted in *Yoakum*, ii. 193–4.

[2] Houston received 4,374 votes, Smith 743, and Austin 587, the total number of votes cast being 5,704. Lamar had a majority of 2,698. *Thrall's Hist. Tex.*, 287.

[3] Copy of Burnet's message will be found in *Niles' Reg.*, li. 189-91.

[4] Art vi., sec. 2., of the constitution, in *Laws of the Republic of Texas*, vol. i. 15.

sent in their resignations. The congress considered that there was no radical obstruction to the premature installation of the new president, and on the same day Houston was inducted into office.

In his inaugural address, Houston referred to the relations of the coördinate departments of the government as peculiarly delicate and important, maintaining that if he failed to obtain the coöperation and support of the congress, wreck and ruin would be inevitable. If, therefore, he failed in the attainment of the great objects in view, it would be the duty of the house to correct his errors and sustain him by its superior wisdom. The administration, he said, was fraught with perplexities, but zeal and a spirit of patrotism would surmount all difficulties. He recommended that the friendship of the Indians should be obtained by treaties of peace and a strict maintenance of good faith with them; and urged abstinence from all acts of aggression, the establishment of commerce with the different tribes, even-handed justice to be ever maintained with them. He contrasted the barbarous mode of warfare practised by the enemy with the humanity and forbearance displayed by the Texans in the hour of victory. The moral effect of such conduct had done more toward the liberation of Texas than the defeat of the army of veterans. Her cause had received the warmest sympathy and manly aid of friends in the land of their origin. Lastly, he dwelt upon the question of annexation with the United States, a consummation unanimously wished for the Texan people, who were cheered by the hope that they would be welcomed into the great family of freemen.[25] General Lamar, in his two-fold capacity as vice-president of the republic and president of the senate, also delivered addresses in which, breathing a spirit of patriotism, he deprecated party antagonism and controversy.

[25] Copy of the address in *Pease's Hist. View Tex.*, in *Niles' South Amer. and Mex.*, i. 357–60.

Congress having authorized the president to appoint his cabinet, his selection proves his anxiety to weld together in harmony the two opposing factions by an impartial appointment to office of the separate leaders. Stephen F. Austin was made secretary of state, Henry Smith, secretary of the treasury, Thomas J. Rusk, of war,[*] S. Rhodes Fisher, of the navy, Robert Burr, postmaster-general, and J. Pinkney Henderson, attorney-general. On November 16th, congress passed an act empowering the president to appoint a minister to the United States to negotiate with that government for the recognition of the independence of Texas, and her annexation to that republic. Houston accordingly appointed William H. Wharton to the position.[†]

Another of the first acts of the congress, dated November 18th, authorized the president to issue bonds of the republic in sums of $1,000 each, to an amount not exceeding $5,000,000. These bonds were to bear interest not exceeding ten per centum, and be made redeemable in thirty years from the day of date. Two commissioners were to be appointed to negotiate them in the United States or Europe, the commissioners being authorized to sell bonds to the amount of $2,000,000, redeemable in not less than five years. Holders should have the privilege of purchasing public lands of the republic at the lowest government price payable in bonds. In regard to volunteers from the United States the congress displayed great liberality, extending by a joint resolution on the 23d the same pay and bounties in lands to those who entered

[*] The command of the army was given to General Felix Houston.

[†] Linn, page 273, narrates that Wharton was not pleased with the appointment, and remarked that the president was sending him into honorable exile to get him out of some one else's way. Houston did not hear of this till some months after, when three commissioners were to be named by him whose duties were the purchase of a navy. John A. Wharton, brother of William Wharton, was one of the candidates, and to the surprise of many, was not appointed. Meeting the latter after his return from the U. S., the president could not refrain from delivering a home-thrust. 'I did not appoint John A. Wharton,' he said, 'one of the three naval commissioners, because I did not wish to drive any more of the Wharton family into exile.'

the service after July 1st as to those who had entered it prior to that date.[28]

The duties of the congress were not light, and during its first session, which lasted to the close of December, numerous laws were passed for the organization of the government and promotion of the public weal. Provisions were made for the increase of the navy by the purchase of a 24-gun sloop of war, two armed steam vessels, and two 11-gun schooners; rules and articles were established for the government of the navy and army, the latter of which the president was authorized to reorganize; and measures were adopted for the protection of the frontier, and for the national defence by the organization of militia. The judiciary, moreover, was fully organized, a supreme court, courts of justice, and inferior courts being established, and their powers and jurisdictions defined.[29] Enactments were also passed for the raising of a revenue by import duties; establishing the salaries of the president and government officers;[30] for the creation of a general post-office; and for the establishment of a general land-office.[31]

A national seal and standard for the republic were adopted December 10th. The former consisted of a single star with the letters Republic of Texas circular on the seal, which was also circular. The national flag was to have an azure ground with a large golden star central, and to be dominated the national stan-

[28] The president vetoed this act, but it was passed by a constitutional majority in both houses. *Tex. Laws*, i. 34.

[29] President Burnet had created a district judge for the district of Brazos, conferring the appointment on Benjamin C. Franklin, who was the first judge in Texas invested with common law and maritime jurisdiction. *Niles' Reg.*, li. 190.

[30] The salary of the president was fixed at $10,000 a year, of the vice-president $3,000; that of each member of the cabinet at $3,500; of the attorney-general $3,000; of the postmaster-general $2,000, and other civil officers in proportion. Congressmen received each $5 a day, and were allowed a mileage of $5 for every 25 miles, going and coming. *Tex. Laws*, i. 69–70.

[31] This act was vetoed by the president, but passed by a constitutional majority in both houses Dec. 22, 1836. The above synopsis of the labors of the first congress is derived from *Id.*, i. 27–227.

dard of Texas. The flag for the naval service was to be the same as that adopted by President Burnet at Harrisburg, April 9, 1836, its conformation being union blue, star central, with thirteen stripes prolonged, alternate red and white.[32]

Congress, however, did not display the highest wisdom in all its legislative acts. On December 16th a bill was passed to incorporate the Texas Railroad, Navigation, and Banking Company, with a capital stock of $5,000,000, and the privilege of increasing it, when the welfare of the company should require it, to $10,000,000. The enactment granted to the company the right of connecting the waters of the Rio Grande and the Sabine by means of internal navigation and railroads, with the privilege also of constructing branch canals and railroads in every direction. As soon as the bank went into operation, which it could not do until a specie capital of $1,-

[32] On Jan. 25, 1839, an act was passed adopting as the national arms a white star of five points on an azure ground, encircled by an olive and live oak branches. The national flag was to consist of a blue perpendicular stripe of the width of one third of the whole flag with a white star in the centre, and two horizontal stripes, the upper white and the lower red. The origin of the lone star flag is somewhat obscure. It is claimed by the Savannah *Georgian* that it was first unfurled within the present limits of Louisiana in 1810, by a gallant band of Americans, who fell suddenly upon the fort at Baton Rouge, drove out the Spaniards, and raised the lone star flag in place of the banner of old Spain. *Tex. Alm.*, 1861, 75. The date of its first appearance in Texas is also in dispute. Guy M. Bryan in a speech before the Texan veterans delivered May 14, 1873, says: 'The first lone star flag that I can find any account of was made at Harrisburg and presented to the company of Capt. Andrew Robinson in 1835. The lone star was white, five pointed, and set in ground of red.' *Baker's Tex.*, 195. Lewis Washington, an assistant in the office of the *Galveston News*, in 1854, states that it was of plain white silk, bearing an azure star of five points on either side. On one side was the inscription Liberty or Death! and on the other the Latin motto Ubi Libertas habitat, ibi nostra patri est. This flag was unfurled at Velasco Jan. 8, 1836. Gen. McLeod of Galveston asserted that it was the work of Miss Troutman of Knoxville, Georgia. A correspondent of the *Central Texan* denies the claim of Georgia, and insists that the first lone star flag unfurled in Texas was the one raised in Harrisburg in 1835. *Tex. Alm.*, 1861, 75-7. Thrall makes the curious statement that the lone star emblem was a fortunate accident. Gov. Smith, for want of a seal, used one of the large brass buttons of his coat, which bore the impress of a five-pointed star. The Mexican government in a circular of Jan. 28, 1836, describes the Texan rebel flag as consisting of stripes like that of the U. S., but instead of the blue square containing the stars, the Texan flag had a white square with a cross and the number 1824. *Arrillaga, Recop.*, En.—Jun., 1836, 234. The 'flag of independence,' says one, first hoisted at Goliad, bore a blood-red sword grasped by a hand. *Tex. Alm.*, 1861, 76.

000,000 was paid in, a bonus of $25,000 was to be paid into the Texan treasury; but in the event of said sum not being paid within eighteen months after the passage of the act, the charter, which was to continue in force for forty-nine years, was to be forfeited.[33] This act was regarded by many with great disfavor and denounced by Anson Jones as corrupt, and tending to render the public lands worthless if the scheme had been practicable.[34] The necessary capital of $5,000,000 was subscribed by eight individuals and firms, but the payment of $1,000,000 in specie before the bank could commence operations, was a stumbling-block which fortunately overthrew the project.[35]

With regard to the territorial extent of the infant republic, congress was not backward in defining the boundaries. By an act of December 19th it was declared that the civil and political jurisdiction of Texas extended from the mouth of the Sabine to the mouth of the Rio Grande, thence up the principal stream of the latter river to its source; thence due north to the forty-second degree of north latitude, thence along the boundary line as defined in the treaty between the United States and Spain to the beginning. The president was authorized and required to open negotiations with the government of the United States to ascertain the boundary line as agreed upon in said treaty. These boundaries included the greater and best portion of New Mexico, to which Texas had not the shadow of a right. But it is more easy to make a claim than substantiate it, as Texas found to her cost at a later date, on the occasion of the ill-conducted expedition to Santa Fé.

[33] *Tex. Laws*, i. 128–32.

[34] He writes: 'The company would have been the great feudal landlord of the whole, and held them by a feudal tenure.' He attacked the scheme severely in an article signed Franklin, published in a Matagorda paper. His opposition gained for him many lasting enemies. *Repub. Tex.*, 18–19.

[35] Gouge states that even as it was, some people made money out of the scheme. None of the subscribers paid anything. One of them sold his interest to a speculator of New York for $30,000. Another disposed of his interest for three leagues of land, which he subsequently sold for $2.50 per acre. *Fiscal Hist. Tex.*, 60–1.

After two months of assiduous labor, during which the members of both houses appear to have been guided by a spirit of patriotism and singleness of purpose, congress closed its session, and adjourned till the first Monday in May, 1837, when it was to meet at the newly founded town of Houston, on Buffalo Bayou, which by act of December 15th was declared to be the seat of the government till 1840.[28]

Toward the close of the year Texas was bereaved, not only of one of its most prominent patriots, but of its father and founder as a great state. On November 15th Lorenzo de Zavala, whose health had been for some time past failing, died at his residence on the San Jacinto, near Lynchburg, fifty-five years of age. The biography of this true friend of Texas, previous to his exile from his native country, has already been given. His arrival in Texas was hailed with joy: and the appreciation in which his worth and love of liberty were held, is shown by the important appointments which were conferred upon him by men of a different race. His name will ever be cherished among Texans as a champion of freedom.

Within little more than a month after the loss of this patriot, Stephen Fuller Austin breathed his last at Columbia. He had contracted a cold, which was succeeded by an attack of pneumonia, and died December 27th, at the comparatively early age of forty-three years—father and son being thus victims of the same disease. His remains, followed by the president and his cabinet, both houses of congress, officers of the government, and a large concourse of citizens, were placed on board the *Yellowstone*, and conveyed to Peach Point, Brazoria county, where they were interred with funeral honors. His place in the cabinet was filled by R. A. Irwin.

Stephen Fuller Austin was born November 3, 1793

[28] Anson Jones denounces the location of Houston as the seat of government, as being an unblushing speculation by members of the legislature. *Repub. Tex.*, 18–19.

at Austinville, Wythe county, Virginia. In 1804, he was sent to Colchester academy, in Connecticut, and having remained there one year, he removed to an academy at New London. At the age of fifteen, he became a student of Transylvania University, Kentucky, where he completed his education. When twenty years of age, he was elected a member of the territorial legislature of Missouri, and was regularly reëlected till 1819, in which year he went to Little Rock, Arkansas, where he was made circuit judge of that territory. Thence he moved to New Orleans, in order to coöperate with his father in the projected colonization scheme. On the death of Moses Austin, his son, in obedience to his wishes, determined to carry out the enterprise. His efforts, trials, and final success in that undertaking are already before the reader.

Stephen Austin was eminently adapted as a leader of settlers in an unknown country. Nurtured in his childhood in the wilds of a frontier state, he imbibed a familiarity with the wilderness and a fearlessness of its dangers which never deserted him, while the liberal education which he received well fitted him to occupy the position of ruler, diplomatist, or commissioner. As a commander of an army, he himself admits his want of competency, and with eager willingness he resigned his military appointment on the occasion of his being chosen commissioner to the United States. With regard to his character, I cannot do better than transcribe his own words, which, however, make no mention of his noble qualities, but reveal only his weaknesses. Writing to Edwards, the Fredonian leader, in 1825, he says: "My temper is naturally hasty and impetuous; the welfare of the settlement required that I should control it effectually, for one in my situation, falling suddenly into a fit of passion, might do hurt to the interests of hundreds. My disposition is by nature, also, open, unsuspecting, confiding, and accommodating almost to a fault. I have been, therefore, subject in a peculiar manner to impo-

sition. Experience has enlightened me as to this latter deficiency, I fear, almost too late, for I am apprehensive of having fallen somewhat into the opposite extreme."[47]

It was true as he says, that under the most trying circumstances, and assailed by enemies, he exercised a strong control over his impulses, fearful of inflicting injury on others. He made self-assertion subordinate to the public weal. But other traits of his character remain to be added. His sense of equity and his constancy, his perseverance and fortitude, his intelligence, prudence, and sagacity, and lastly, his endurance under persecution, benevolent forgiveness of injuries, and far-reaching philanthropy mark him as no common person, and place him on the pedestal of great men. He was never married. During the first years of his residence in Texas, his home was the house of S. Castleman, on the Colorado. Later, when his brother-in-law, James F. Perry, removed to the colony, he lived, when in Texas, with his sister, at Peach Point plantation, in Brazoria county. Besides this sister, he had a younger brother, named James Brown Austin, who was well known in Texas.[48]

It cannot be said that at the opening of the new year the situation of the young republic was flattering. It is true that she was temporarily relieved from in-

[47] Copy of an extract from this letter, which well describes his difficult position with regard to decisions about land grants, and is marked by candor and the frank admission on the part of the writer that he had committed errors, will be found in *Yoakum*, i. 360–5.

[48] *Tex. Alm.*, 1859, 153–60. From this article I quote the following extract: 'Sometimes the voice of detraction and obloquy was heard. Sometimes curses were heaped upon him by men whom he had served with conscientious fidelity. But these are things which come to most men who act a principal part in what is transpiring around them, and in Austin's case these things were more than counterbalanced. The great body of his colonists loved him, and he knew it. They had tried him, and had found him to be true to them and to their interests.' *Thrall, Hist. Tex.*, 180–97; *Kennedy*, ii. 270–2; *Baker's Tex.*, 253–4; *Yoakum*, ii. 202–3. Linn, in his *Reminis.*, 362, says of Austin: 'He made many personal sacrifices of his own comfort and property in the interest of his colonists, and was in return repaid by ingratitude by too many of them. He had the patience of Franklin, and was a man of solid rather than of brilliant parts.'

vasion; but the enemy still threatened, and there was no certainty that a powerful army would not before long be put in motion against her. Although in an agricultural point of view, she had somewhat recovered from the wide-spread desolation to which she had been the victim, much land still remained abandoned, and the people were universally impoverished. The army, which it was still necessary to keep on foot to the number of nearly 1,000 men,[39] was reduced to a destitute condition for want of food and clothing. The government was overwhelmed with claims; the treasury was empty, and no immediate prospects of pecuniary relief could be expected.

But the year was not destined to pass without Texas meeting with some outside encouragement. The recognition of her independence had been the subject of much discussion in the congress of the United States, and many memorials from different parts of that nation were addressed to the government in behalf of it. In the north, however, considerable opposition was brought to bear by the anti-slavery party, which, foreseeing annexation as the ultimate result, was strongly opposed to the adoption of a measure that would create additional slave territory. Apart from the question of slavery, there were others of a commercial nature which also had weight. In case Texas maintained her independence, she would be able to open a market for English manufactures, which would prove detrimental to the interests of the United States. Again, if she were admitted into the union, the anti-tariff party would gain preponderance over that which sought to procure a monopoly for American goods by protective duties. On December 22, 1836, a message of President Jackson, on the subject of the recognition of Texas was laid before congress. At its conclusion he makes use of these

[39] Yoakum states that at the close of 1836 the Texan army consisted of about 700 men enlisted for the period of the war, and 80 who had still six months to serve. *Hist. Tex.*, ii. 205.

words: "Prudence, therefore, seems to dictate that we should still stand aloof, and maintain our present attitude, if not until Mexico itself or one of the great foreign powers shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved, beyond cavil or dispute, the ability of the people of that country to maintain their separate sovereignty, and to uphold the government constituted by them."[40]

But it was well known that Jackson was in favor of the recognition of the independence of Texas. On January 11, 1837, Walker, senator from Mississippi, submitted a resolution to the senate to the effect that the independence of Texas should be acknowledged, urging as a reason that the threatened invasion of that country had proved abortive, that the army of General Bravo[41] had been reduced by desertion and other causes to a very small number, that Bravo had consequently resigned, and the invasion in all probability would be abandoned. After several efforts on the part of Walker—who expressed himself convinced that the president would cheerfully unite with congress in recognizing the independence of Texas—to bring his resolution to the vote, on March 1, 1837, it was called up, and after some discussion, passed by a vote of twenty-three to nineteen.[42] On the following day a motion was made to reconsider the vote, but was lost by a vote of twenty-four to twenty-four.[43] The negotiations, however, for the annexation of Texas were not listened to by the United States government.

Shortly after the passage of this resolution the Texan minister in Washington was duly recognised, and Alcee Labranche appointed by Jackson as chargé

[40] *H. Ex. Doc.*, cong. 24, sess. 2., No. 35, p. 4.

[41] Bravo had been appointed to the command in the place of Urrea, who was removed on account of his leaning toward federalism.

[42] Not as Yoakum states,—ii. 207—twenty-three to twenty-two.

[43] *Cong. Debates*, 1836, 1837, xiii. 360, 527,797, 986, 1010–13, 1018. It must be remarked that on March 1st, when the resolution was passed, six members of the senate were absent.

d'affaires to the new republic, the house of representatives having made an appropriation for a diplomatic agent to that government.

It has already been mentioned that on April 17, 1837, the *Independence* was taken by two Mexican brigs-of-war. On the vessel was William H. Wharton who was on his return from the United States. He was conveyed to Matamoros with the other captives, and confined in prison. His brother, Colonel John H. Wharton, having obtained permission and a flag, proceeded thither with thirty Mexican prisoners, in the hope of effecting his release, but on his arrival he was seized and thrown into a dungeon. William Wharton in the meantime, by the aid of Captain Thompson of the Mexican navy, escaped and reached home. His brother, after an imprisonment of six days, also succeeded in escaping and returned to Texas. Thompson, who had agreed to desert the enemy's service, had previously left Matamoros, his departure being hastened by information given against him to the authorities.

On May 1, 1837, congress reassembled at the town of Houston, and on the 5th the president read his message. Referring to the recognition of their independence by the United States, he said: "We now occupy the proud attitude of a sovereign and independent republic," and toward the close of his address, remarked that Texas, confident of her power to sustain the rights for which she had contended, was not willing to invoke the mediation of other powers. With regard to the financial position of the government, it could hardly have assumed a much worse state. On account of the unfavorable condition of the money market in the United States, no portion of the $5,000,000 loan had been realized, and the land scrip[44]

[44] In order to raise means to meet the most pressing wants until some portion of the $5,000,000 loan could be realized, the president had been authorized by acts of December 10, 1836, to borrow $20,000, and to sell land scrip to the amount of 500,000 acres, at a price not less than 50 cents per

had produced nothing, owing to the questionable action of the agents at New Orleans, who would render no account of their transactions to the executive, and dishonored drafts drawn upon them by the latter. Speaking of the land-bill, of December 22, 1836, which had been vetoed by the president, but passed by a constitutional majority—Houston stated that his views on that question had undergone no change. He considered that the bill was not adapted to the situation,[45] inasmuch as no provision was made for sectionizing the public domain; and he recommended that some plan should be devised that would ascertain all the located lands of the country, by which method the vacant lands would be readily indicated. Unless some such precaution were adopted endless litigation would be the consequence. On the subject of the boundary question with the United States, he believed that all trifling difficulties that had previously existed would be obviated by reference to the treaty of 1819 between Spain and that nation. In connection with this question he called attention to a treaty recently made by the government of the United States with the Caddo Indians on the north-eastern frontier, by which the latter ceded certain lands to the former. The Caddo Indians, he said, were the principal aggressors on the Texan frontiers, and showed a disposition to amalgamate with the wild tribes undoubtedly within the unquestionable boundary of Texas. Urgent remonstrances had been made to the government of the United States by the Texan representatives at Washington on the subject of the condition and disposition of these Indians. The army of Texas had never been in a more favorable condition, and its improvement since the last session of congress was conspicuous. It had been successfully reorganized, and

acts. This scrip was issued to Toby and Bros. of New Orleans and David White of Mobile, who were appointed agents for the government. *Tex. Laws*, i. 76–7; *Congress. sup.*, 62, 64.

[45] The constitution provided that 'the whole territory of the republic should be sectionized, in a manner hereafter to be prescribed by law.' General provisions sec. 10. *Tex. Laws*, i. 21.

a system of discipline and subordination established. By the reduction of the number of supernumerary officers, its expenses had been diminished to $229,032 per annum.[46] A similar favorable report could not be made with regard to the navy, the insufficiency of which required the serious consideration of congress. A confidential officer had been despatched to the United States for the purpose of purchasing such vessels as would enable Texas to keep command of the gulf. The weak condition of the navy had not been without injurious result upon commerce, which had suffered to some extent. President Houston next makes remarks upon the African slave trade, and in conformity with the constitution[47] denounced it as an unholy and cruel traffic. It being known that thousands of Africans had lately been imported into the island of Cuba with the design of introducing a portion of them into Texas, the ministers of the republic had made the matter a subject of representa-

[46] On December 15, 1836, an act was passed appropriating $700,000 to defray the expenses of the army for the years 1836 and 1837; $150,000 those of the navy; and $150,000, those of the executive and civil departments of the government—in all $1,000,000. In case there should be no moneys in the treasury when these demands were made upon it, according to law, the secretary was authorized to issue scrip to persons lawfully entitled to the same. *Id.*, i. 85–6.

[47] In the general provisions of the constitution, sec. 9, the importation or admission of Africans or negroes into the republic, excepting from the U. S. of America, was forever prohibited, and declared to be piracy. The phraseology 'excepting from the U. S.' may seem at first sight singular. But it must be borne in mind that most of the settlers in Texas came from the slave-holding states of the northern union; that those states were the stanch allies of Texas, and by immigration from them she expected to increase her population, strength, and prosperity. Unless future settlers were allowed to bring their slaves it was well known that they would be very few in number. Moreover, the scarcity of labor and the abundance of rich land made the tolerance of slave labor an important item in the future progress of the country. Thus, though Texas properly denounced the traffic in African slaves, her vital interests required that she should not refuse to admit a system legalized in the states from which most of her immigrants came, by allowing them to bring their property with them, and employ it profitably alike to themselves and the republic. But her law on the subject was stringent. By act of Dec. 21, 1836, all persons convicted of introducing African slaves, with the above exception, were to suffer death, without benefit of clergy; the same penalty was to be inflicted upon persons who should introduce any slave or slaves from the U. S., except such as had been previously introduced and held in slavery in that republic, in conformity with the laws of that government.

tion to the government at Washington, to enable it to devise means of preventing the landing of slaves in Texas, which the insufficiency of her own navy precluded her from doing. This last consideration should be a sufficient reason to redeem the republic from the suspicion of connivance, and induce both England and the United States to employ such a portion of their force in the gulf as would arrest the traffic. England, he believed, would not regard the prosperity of Texas with unkind feelings. A correspondence with the Mexican consul at New Orleans had been opened, containing propositions for the exchange of prisoners. No official response had been received from that government, but nevertheless Houston was of opinion that all the prisoners should be released and allowed to leave the shores of Texas as soon as they could do so.[48]

The most important question which occupied congress during 1837 was that of the land bill. During the two sessions held this year,[49] the matter was brought up again and again, and several acts amending the original one were passed. One difficulty arose from the requirement, by the provision of the constitution, that the public domain should be sectionized, instead of being laid off in leagues and labors after the Spanish land system. The older settlers were opposed to this new plan, and, as seen, it was not adopted. It was no easy matter to solve this problem of the disposal of the public lands. There were many knotty points involved in it. On the closing of the land-offices in November 1836, hundreds of land titles, many of them corruptly issued by the legislature of Coahuila and Texas, or fraudulently obtained by land speculators, were lying incomplete in the commission-

[48] The Mexican prisoners were first placed under guard on Galveston Island where their privations were very severe. On August 10, 1836, they were removed to Anáhuac, and thence to Liberty. On April 25, 1837, they were finally released. *Delphin's Diary: Lina's Ecclesia*, 246.

[49] The president called a special session of congress in Sept. 25th, which merged into the regular session.

ers' offices. The grants to empresarios and titles depending thereon had to be considered. To distinguish legitimate claims and guard against fraud was a most difficult matter; and to frame a bill that would defeat the ingenuity of land-stealers without violating the rights of citizens of Texas, justly acquired under the legislations of Mexico, of Coahuila and Texas, and even of Texas herself, was almost an impossibility. Again, land bounties had been granted to the volunteers who had so valiantly stepped forward to aid Texas in her direst need, and land scrip had been sold in the United States. To protect the soldier and colonist in the priority of choice of location against unprincipled speculators, who supported their prior claims by perjury,[50] was no easy matter. Head-rights of individuals were purchased by numbers of persons who never intended to make Texas their home; names of natives—to whom exceptional privileges as to extent of grants were extended—were used to substantiate claims, and in fault of this recourse, fictitious names were supplied, and head-rights under them obtained. No legislature has ever had the task of unravelling a more complicated entanglement of just with unjust claims, or has been called upon to devise a law that could discriminate between rights almost equipoised in the scale of justice. When the decree of November 1835 was passed, many old settlers and many soldiers entitled to the land bounty were in the field, and continued in service long afterward. By opening the land-office and recommencing the distribution of grants, these men, in their absence, would be deprived of their just right to prior choice of location. This was one of Houston's reasons for opposing the passage of the land law of December 22, 1836. The law was to have gone into effect June 1, 1837,

[50] Speaking of the land law of 1838—of which mention will be made in the text—Anson Jones, who voted in favor of it, says: 'The greatest fault, after all, that can be found with this bill is that it did not stop perjury; for aside from perjury, which no law can stop, few evils have grown out of it. The law itself possesses every possible safeguard against fraud.' *Repub. Tex.*, 20.

but the opposition to it caused it to be suspended till October 1st of that year; and on September 30th, in consideration of the president's statement that preparations were being made to run the boundary line between Texas and the United States, which would doubtless increase the limits of the former's civil and political jurisdiction, a joint resolution was adopted to suspend the operation of the land-office until the further action of congress. Finally, on December 14th, the several acts being amended, were reduced to one act, and a general land law adopted.[1] Under this law, a commissioner of the general land-office, with a salary of $3,000 a year, was to be appointed by the president, with the advice and consent of the senate. For each county a surveyor was to be appointed, and a board of commissioners, whose duty it was to investigate claims for head-rights, and grant certificates upon proof of right being established. Persons advancing claims under the old colonization laws were required to take oath that they were resident in Texas at the time of the declaration of independence, that they had not left the country during the campaign of the spring of 1836, and prove by two or more creditable witnesses that they were actually citizens of Texas at the date of the declaration of independence. In this provision, widows and orphans were excepted. Conflicting claims were to be tried before the nearest justice of the peace and six disinterested jurors. Empresario contracts having ceased at the date of the independence, all vacant lands included in such grants were declared the property of the republic. Surveyors' field-notes, with county commissioners' certificates, were to be sent to the commissioner of the general land-office, who, on their being found to be correct, and the locations therein described situated on vacant lands, was authorized to issue patents signed by the president and countersigned

[1] This law was also vetoed by the president, but was speedily passed in both houses by a constitutional majority.

by himself. Each county was declared to constitute a section, and each surveyor was required to make out a map of his respective county, on which the plots of deeded lands were to be fairly shown. Lastly, audited claims against the government were made receivable in payment of public dues on lands for a quantity not exceeding two leagues and two labors for any one individual.

The land office was to be opened for old settlers and soldiers on the first Thursday in February, 1838, and for other claimants six months later. Though the law was defective, and under it many fraudulent claims were passed through the formalities necessary to secure titles, it was the best that could be secured at that time, without conflicting with rights acquired under former legislations. Early in 1838 a large number of claims were presented and decided upon, old Spanish grants being generally sustained, owing to the conflicting interests in the Texan legislature, which had the power to set aside grants only on the ground of non-performance of conditions.

Among the acts of congress in 1837, mention must be made of one which was passed June 12th, providing for the sale of Galveston and other islands belonging to the republic, in lots of from ten to forty acres. Anson Jones denounced this action; but it must be observed that, while affording some relief to the government in its financial straits, it gave a great impulse to the growth of the new town of Galveston, which soon became the most important seaport of Texas.

During the last session of the congress in this year, much attention was paid to incorporating towns, to defining the boundaries of old counties and creating new ones.[52] Having remained in session from Sep-

[52] The towns of Shelbyville, Brazoria, Richmond, San Felipe de Austin, Lagrange, San Antonio, Victoria, Gonzalez, Matagorda, Mina, Houston, Washington, Crockett, Refugio, Columbia, Clarksville, Lexington, Milam, Goliad, San Patricio, and Jonesborough, were all incorporated during this session. The new counties of Montgomery, Fayette, Fannin, Robertson,

tember 25th to the end of December, it adjourned till May, 1838.

The prospects of the republic now held out promises of permanency and success. The crops of 1837 had been unexpectedly good; immigrants were flocking into the country, whereby the imports were increased, and the revenue from tariff dues proportionately augmented; lands were rising in price; and commerce was assuming a prosperous condition. From Mexico, Texas had nothing to fear for the present, as that nation was embroiled with France, whose navy blockaded her ports in April, 1838, to enforce the payment of certain claims against her, made by the French government. Relieved from the presence of the enemy in the gulf, trade was not only safely carried on with New Orleans, but was extended to eastern cities of the United States, while the western frontier enjoyed rest from war.

Though military operations during these two years may be said to have ceased, considerable trouble was caused by Indians in the frontier portions of the republic. In search of the best lands, locaters pushed forward into regions regarded by the Indians as their hunting grounds, and the latter, instigated by Mexican agents, opposed these encroachments, not unreasonably believing their assertions that the white people would deprive them of their lands. A number of murders were committed by the savages, and a special corps was organized to suppress their depredations. Several conflicts of minor importance were

and Fort Bend were created. *The Laws*, ii. 12–122 passim. The original counties, according to a list supplied by Thrall, *Hist. Tex.* 287, were: Austin, Brazoria, Béjar, Sabine, Gonzales, Colorado, Harrisburg, Jasper, Jefferson, Liberty, Matagorda, Mina, Nacogdoches, Red River, Victoria, San Augustine, Shelby, Refugio, San Patricio, Washington, Milam, Jackson, and Colorado. It should be remarked that some of the towns above mentioned had been incorporated in the previous session by act of June 5th, which declared Nacogdoches, San Augustine, Texana, Washington, Brazoria, Columbia, Velasco, Richmond, Matagorda, Columbus in Colorado county, Independence in Washington county, Houston, Béjar, Nashville, Sarahville, Anáhuac, Bevilport, and Harrisburg, were all declared incorporated towns, as was also Liberty two days later.

engaged in, which did not always result in victory for the Texans. The fight most disastrous to the white men took place in Navarro county, in the fall of 1838. Captain William M. Love, with a party of twenty-four men, while engaged in a land-locating expedition, met a large number of Indians, who declared their intention to kill them if they did not desist from their survey. Love, with another man, at this juncture, returned for a compass to supply the place of one which had got out of order, leaving urgent injunctions to his comrades to desist from their work and join the Indians in buffalo hunting until their return. Love's advice was neglected; the Indians, true to their word, attacked the Texans and killed seventeen of them. The Indians lost three times that number. This engagement became known as the fight of Battle Creek.[53] On October 25th of the same year, Colonel Neil engaged in a fierce battle at José María village, later Fort Graham, with the Comanches, General Rusk having a few days previously, at the head of 200 men, fought with a combined force of Indians and Mexican marauders at the Kickapoo town, near Fort Houston, on the Trinity. In both these conflicts the savages were defeated.

According to the report of the commissioner-general of the land-office, 10,890 certificates had been issued by the different county boards up to November 1, 1838, representing 26,242,199 acres, while the secretary of war reported that up to October 15th, 2,990,000 acres had been distributed to soldiers as land bounties.[54] The issues of land scrip amounted to 2,193,000

[53] An account of it is given in *Tex. Alm.*, 1868, 52–3. Further particulars with regard to Indian affairs, will be found in *Niles' Reg.* liii., index, p. vii., *Id.*, iv. 19, 65, 69, 98, 178, 198, 215; *Houston's Mess. Ind. Aff.*, Nov. 19, 1838; *Pinart's Tex. Col. Doc.*, Nos. 19, 65, MS. *Filisola, Mem. Guerra Tex.*, ii. 131–5; *Tex. Misc. Pamph.*, Nos. 11, 13.

[54] Owing to defect in the laws regulating bounty lands, many instances had occurred of a soldier claiming twice the amount it was intended that he should receive. Enlisting for a definite period, he obtained his discharge and received his land; then reënlisting, he claimed the same amount again. Report of Sec. of War, in *Tex. Misc. Pamph.*, no. 7, p. 13–14, 28; *Gouge, Fisc. Hist. Tex.*, 82–3.

acres, of which scrip to the amount of 870,000 acres had been returned by the agents, and a portion representing 60,800 acres had been funded.

In a financial point of view, the outlook was bad. The public debt had been increased, and the credit of the republic was well-nigh exhausted. On June 7, 1837, an act was passed for funding the debt, by the provisions of which the government stock thereby created should bear an interest of ten per centum a year, and be redeemable at the discretion of the government at any time after September 1, 1842. Two days later, another act authorized the president to issue promissory notes to the amount of $500,000, which were made receivable in payment of dues to the government. From the report of the secretary of the treasury, November 3, 1838, it appears that the funded debt amounted to $427,200, consisting of military scrip in the sum of $396,800 and land scrip of $30,400. With regard to promissory notes, a bill was passed through both houses early in May authorizing the issue to be increased to $1,000,000. This act the president vetoed, and in his message on the subject urged as his main reason the depreciation which such notes had already suffered in the money market.[*] Another bill was then introduced, authorizing the president to reissue the promissory notes as they returned into the treasury, and leaving the question of increasing the issue to $1,000,000 to his discretion. After some discussion the bill was passed, May 18th, and approved by Houston. The amount of promissory notes in circulation at the end of November 1838, according to a communication from the secretary of the treasury to the senate, was $739,739.[†] As the unpaid audited claims amounted to over $775,000, it appears that the indebtedness of the re-

[*] 'When the first issue reached New Orleans last autumn, it was passed at a slight discount, but as the quantity increased in that market, the depreciation increased, until the value of the paper was reduced to forty cents on the dollar.' *Houston's Message*, May 12, 1838, in *Tex. Misc. Pamph.*, no. 19.

[†] The communication bears the date of Nov. 29, 1838; copy in *Id.*, no. 9.

public at the close of 1838 was nearly $1,942,000.[57] Notwithstanding this debt and the diminution of income by making the promissory notes receivable in payment of public dues, the prospects of relief were not wanting. A deep interest was taken in Texan securities by persons in the United States; from import duties, up to September 1838, the net receipts had amounted to $278,134, and this source of revenue was expected proportionately to increase with the rapidly increasing population and commerce. Gouge, in his *Fiscal History of Texas*, sneers at the financial operations of the new government; but it is difficult to conceive by what other methods it could have maintained itself during this period of poverty and necessity.

By a provision of the constitution, the term of office of the first president was limited to two years, without his being eligible to reëlection; succeeding presidents were to hold their office for three years. Houston's term consequently expired on the second Monday in December 1838. The elections were held on September 3d, the candidates being Mirabeau B. Lamar, Peter W. Grayson, James Collingsworth, and Robert Wilson. Before the election, Grayson and Collingsworth put an end to their lives, the former at Bean's station in Tennessee, and the latter by throwing himself from a steamer into Galveston Bay.[58] Mirabeau B. Lamar was chosen president almost unanimously,[59] and David G. Burnet, vice-president.

[57] The exact amount for the fiscal year ending Sept. 30, 1838, was $1,886,425. *Sec. of Treasury's Report*, Nov. 3, 1838; *Yoakum*, ii. 249. Consult *Gouge, ut sup.*, 115.

[58] The canvass was a very bitter one, and the Texan newspapers abounded in recriminations and abuse in the political discussion. *Yoakum*, ii. 245, 250; *Thrall*, 300, 528, 546. John A. Wharton, member of congress from Brazoria, also died this year.

[59] The votes cast were: for Lamar, 6,995; for Wilson, 252. *Id.*, 300.

CHAPTER XIII.

LAMAR'S ADMINISTRATION.

1838-1841.

PRESIDENTS' VIEWS ON ANNEXATION—HIS MESSAGE TO CONGRESS—ORIGIN OF THE TEXAS RANGERS—FINANCIAL MATTERS—HAMILTON'S MISSION TO EUROPE—HIS FAILURE TO EFFECT A LOAN—INDIAN WARFARE—THE NACOGDOCHES REVOLT—MEXICAN INTRIGUES—THE MISSION AND DEATH OF FLORES—EXPULSION OF THE CHEROKEES—FIGHT AT SAN ANTONIO—AN INDIAN RAID—MASSACRE OF THE COMANCHES—THE FEDERAL CAMPAIGN—BATTLE OF ALCANTRO—REPUBLIC OF THE RIO GRANDE PROCLAIMED—TEJUCHELOUS ALLIES—BATTLE OF SALTILLO—THE SANTA FE EXPEDITION—ITS OBJECT AND DISASTROUS RESULT—THE NEW CAPITAL—RECOGNITION BY FRANCE AND ENGLAND—RELATIONS WITH MEXICO—ENGLISH MEDIATION REJECTED—HOUSTON RE-ELECTED PRESIDENT—CONDITION OF THE REPUBLIC.

PRESIDENT Lamar delivered his inaugural address to congress on the 9th of December. The most noteworthy portion of it is that in which he expressed his views in regard to annexation to the United States. On that subject he said: "I have never been able myself to perceive the policy of the desired connection, or discover in it any advantage either civil, political, or commercial, which could possibly result to Texas. But on the contrary, a long train of consequences of the most appalling character and magnitude have never failed to present themselves whenever I have entertained the subject, and forced upon my mind the unwelcome conviction that the step once taken would produce a lasting regret." He then enumerates the rights which Texas would have to give up with the surrender of her independence, and draws a bright picture of her possibilities as a sovereign nation, remarking that he could not "regard the annexation of Texas to the American

union in any other light than as the grave of all her hopes of happiness and greatness."[1]

On December 21st he submitted his message to the two houses. It is a lengthy document and sets forth unreservedly the president's future line of policy. He advocated the speedy adoption of measures to provide for a system of public education, and urged congress to promote a general diffusion of knowledge and industry by the appropriation of lands for educational purposes and the establishment of a university. The municipal code, which embraced a portion of two systems discordant in their provisions required reforms.

With regard to the frontier question, he said. that the outlying settlers were continually exposed to predatory aggression on the part of Mexican banditti and the barbarous warfare waged by hostile Indians; that moderation extended to the natives had been followed by the perpetration of atrocious cruelties; a merciful policy had only acted as an incentive to savage tribes to persevere in their barbarities, and it was time that an exterminating war was opened against them, which would "admit of no compromise, and have no termination except in their total extinction, or total expulsion." He did not consider that the government was under any moral obligation to carry out the conditions of the "solemn decree" passed November 13, 1835, by the consultation,[2] and the treaty made consequent upon it in February, 1836, inasmuch as the Indians had repeatedly violated its provisions. Friendly tribes should be allowed to occupy suitable portions of land. For the protection of the frontiers, he proposed the establishment of a line of military posts, and as a general protection of the country against possible invasion by Mexico, the organization of a militia, and the encouragement of volunteer associations.

[1] *Lamar, Inaug. Address*, in *Tex. Misc. Pamph.*, no. 12.
[2] See note 40, chap. ix, this volume.

Lamar discussed at length the subject of finance. Though opposed to levying burdensome taxes on a people still struggling to repair the desolation caused by the war, or laboring under the embarrassments incident to new settlements, the exigency of the times, nevertheless, urgently required that the land tax should not be abated. Lands, however, ought to be more equally and uniformly assessed. While admitting the same necessity for continuing the tariff laws, under the existing straitened circumstances of the government, he expressed his decided bias for free trade. "I look forward," he says, "to a period, I hope near at hand, when we shall be able, and will find it to be our interest, to invite the commerce of the world to our free and open ports." "The radical policy of Texas is anti-tariff, because its commercial commodities are of raw material which fears no impost rivalry, and paying no contributions to manufactories." The immediate adoption of free trade would, however, exhibit a recklessness and imprudence, which would not fail to affect the credit of Texas abroad.

He then proposed the establishment of a national bank to be "the exclusive property, and under the exclusive control of the republic," branches of which were to be established at every convenient point. Such a bank, he maintained, would be supported by the triple security of the hypothecation of a competent portion of the public domain, the guarantee of the plighted faith of the nation, and an adequate deposit of specie in its vaults.[1] With regard to the deposit of specie he remarks: "It is evident, that a bank so constituted, the exclusive property of a stable and popular government, and combining the three guarantees, of land, specie, and the public faith, would not require to retain in its vaults as large a proportion of dormant capital as is acknowledged to

[1] He does not, however, state where the specie was to come from. See the remarks of Gouge on this illusory scheme, which, if carried out, would have entailed untold evils on the people of Texas. *Fiscal Hist. Tex.*, 87–92.

be indispensable to the safe conduct of a private institution.[4]

In order to follow consecutively the financial policy which ruled during the administration of Lamar, it will be necessary to furnish the reader with the most important particulars down to the end of his term. On December 21, 1838, it was enacted that a regiment of 840 mounted men, rank and file, should be raised for the protection of the frontiers, their term of service to be three years; and that $300,000 in promissory notes of the government should be appropriated for that purpose. On the 29th it was provided that this force should be increased by another regiment consisting of 472 mounted volunteers, rank and file, for which an appropriation was made of $75,000. These volunteers were called to serve for six months, and to these corps is ascribed the origin of the famous Texan Rangers who, drawn to a great extent from the frontier settlers, formed a bulwark to the interior settlements as very successful Indian fighters.[5] On January 26, 1839, 112 additional rangers were ordered to be raised, a sum of $1,000,000 having been appropriated two days previously for the protection of the frontier and general military purposes.

As a Texan navy no longer existed, on January 10th a contract made by agents of the republic with General James Hamilton for the purchase of the steam-ship *Zavala* for the sum of $120,000 was sanctioned by act of congress; and on the 26th $250,000, in promissory notes of the government, were appropriated for the payment of the price of an eighteen-gun ship, two war brigs of twelve guns each, and three schooners of six guns each.

[4] Which is equivalent to saying that the establishment could be maintained by paper money of the public credit without anxiety about the amount of metallic deposits. A bill to incorporate the Bank of the Republic of Texas was read a second time, January 21, 1839, and then laid on the table.

[5] *Marcy, Thirty years of Army Life*, 63; *Hay's Life*, 7–11, 17, 33.

A supplementary act was passed, January, 22d, bearing upon the $5,000,000 loan authorized to be raised by act of May 16, 1838. By provisions of the first mentioned enactment the pledges of security were strengthened. The president was authorized to affix the seal of the republic to bonds or certificates of stock issued, and when the government should deem it expedient to sell the public lands, $300,000 of the proceeds were to be annually set apart, and a sinking fund formed for the redemption of the loan. On the same day the president was authorized to issue bonds to the amount of $1,000,000, at eight per centum per annum.

The United States had lately passed through a crisis in banking speculations. All reliable banks were extremely cautious at this time, and Texan securities were not regarded by their managers as worth investing in. It was, therefore, necessary to look to some other country for relief. Accordingly, General James Hamilton, of South Carolina, who had shown himself a warm friend of Texas, was offered the appointment as commissioner to Europe to procure the loan. He accepted the position and his mission being known in the United States a loan was obtained of $280,000, dependent on his eventual success. But of this amount little more than $62,000 was received in the treasury, the balance being invested in arms and supplies for the forces now engaged in opposing the serious inroads of the Indians. Hamilton went to London and Paris, but while his negotiations were being conducted with every probability of success—having reported, February 4, 1840, that he had "concluded a contract with the bank of Messrs J. Lafitte & Company for the Texan loan"—a quarrel occurred between M. D. Saligny, and the French minister to Texas,[4] and an hotel-keeper in

[4] It is necessary to state that France recognized the independence of Texas, and signed, Sept. 25, 1839, a treaty of commerce and independence. *Journal*, 21; *Burleg, Tex.*, 5; *Kennedy*, ii. 346-8. Consult *Niles' Reg.*, lv. 321; lvii. 1, 66, 120, 132, 150, 256; also *id.*, lxix. 404-5, regarding corres-

which the Texan minister of state became involved. Saligny was the brother-in-law of the French minister of finance, and as the protection of French government had been procured for the negotiation of the loan in France, the representations of Saligny were sufficient to upset previous arrangements. Owing to this ridiculous personal quarrel[7] Hamilton failed. He was equally unsuccessful in England.

Meantime treasury notes had been issued and reissued as fast as they came in in payment of import dues. The credit of Texas now became exhausted. Bad as was her financial condition at the beginning of Lamar's presidency, when the end of his term arrived it was infinitely worse. Gouge states that as far as it can be ascertained, the public debt increased, during his three years of service, from $1,887,526 to $7,300,000, and the securities, which at the time of his entry into office were at from sixty-five cents to eighty-five cents per dollar, were not worth more than fifteen to twenty cents.[8]

Though Lamar's administration, in a financial point of view, cannot be looked upon as a success, consideration must be allowed for his position. The greatest difficulty which he had to contend with at home was the hostile and aggressive attitude of the Indians on

pondence between the U. S. minister at Paris and the French minister of foreign affairs regarding Texas. A protest was entered by Mexico against the above recognition. *Mex. Mem. Guerra*, 1840, 46–9; *Mex. Mem. Relac. Exter.*, 1840, in *Diario del Gob. Mex.*, May 20, 1840, in *Mex. Mem. Min. Rel.*, i. Doc. 12.

[7] See *Gouge, ut sup.*, 108–11.

[8] Consult *Mennican Hunt's Address*, Nov. 30, 1848, 4–6, in which he remarks in a foot-note that 'the large appropriations and issues of treasury notes under Lamar's administration were made in anticipation of the $5,000,000 of bonds which were authorized by one law, and the $1,000,000 of bonds authorized by another. Gouge's statement with regard to Texan securities is at variance with Pres. Houston's assertion that promissory notes had depreciated to forty cents on the dollar. This assertion was made in his message of May 12, 1838. It is not easily to be understood how the government scrip, after an increase of issue, could ever have doubled its value. From the first issue of the treasury notes the credit of Texas declined. Finding her paper obligations had no effect in raising it, and during the period of her republican existence, the financial operations of her government were never successful.

the frontier. New-comers were very careless about making encroachments, and frontier-men were fearless of risks. Provided that they could obtain rich land, they were prepared to take the chance of holding it against the savages. A great immigration into Texas, after the battle of San Jacinto and Santa Anna's subsequent pledges, had taken place; speculators invested in the government scrip, and settlers flocked into the country in such numbers that their influence overpowered that of the pioneers. The new-comers, in their greediness to grasp the best lands, pushed forward into domains occupied not only by friendly Indians, but by hostile tribes. The speculator with his surveyor penetrated into districts which hitherto had been admitted to be the hunting-grounds of the native race. It is not difficult to draw the conclusion. Though Texas was relieved from fear of invasion by her national foe, her borders became subject to ceaseless irruptions made by Indians. It is beyond the scope of this work to enter into details of this frontier warfare, or describe the many atrocities committed, the hard-contested struggles, and the numerous exhibitions of personal courage on both sides. Many a household was made desolate, women and children being carried into captivity worse than death. Many a time the rangers fought and beat thrice their number, and many a deed of individual heroism remains unrecorded.

The narration, however, of the main events cannot be omitted. During the latter part of 1838, a revolt occurred, which has been called the Nacogdoches rebellion. In August of that year the Mexican settlers assembled in considerable numbers on the banks of the Angelina, and being joined by 300 Indians, by the 10th their force amounted to 600 men, under the leadership of Nathaniel Norris, Vicente Córdova, and others. President Houston, who was then at Nacogdoches, received a communication from these leaders, disclaiming allegiance to Texas; the malecontents then directed their march to the Cherokee nation. A

requisition for men having been made, General Rusk was sent forward with the main body toward the headquarters of Bowles, the Cherokee chief, while Major Augustin, with a detachment of 150 men, followed the trail of the malecontents. Rusk presently discovered that the Mexican leaders had gone to the head-waters of the Trinity river, his followers had dispersed, and many of them returned to their homes without any blood being shed.[9] The object of this curious attempt at revolution has never been fully explained, but the leaders soon recognized the hopelessness of it.

Córdova had been in correspondence with the enemy at Matamoros, and appears to have held a commission from Filisola[10] to raise the Indians as auxiliaries to the Mexican army. Early in 1839, Filisola was succeeded by General Canalizo, who, on February 27th, issued instructions to the captains and chiefs of the friendly nations, inciting them to wage incessant war against Texas, and laying down a plan of campaign for their guidance. Mexico, he said, being engaged in war with France, could not at present resume operations against the revolted province, but the friendly tribes had it in their power to prevent the enemy from taking advantage of fortunate circumstances. They were, however, cautioned not to advance too near the frontier of the United States, but should occupy the line of San Antonio de Béjar, about the Guadalupe, and from the heads of the San Marcos to their mouths. This position would have the advantage of keeping the enemy in front, and a friendly nation in the rear, besides cutting off the enemy's commerce with the interior of Mexico, and furnishing abundant spoil. They were "not to cease to harass the enemy for a single day; to burn their habitations; to lay waste their fields, and to prevent them assembling in great num-

[9] Houston issued a proclamation, Aug. 8th, requiring them to return to their homes, under penalty of being declared enemies of the republic. *Redlander*, Sept. 1838, in *Yoakum*, ii. 245–6.

[10] Filisola had been reinstated in his command on the Rio Grande

lers, by rapid and well-concerted efforts." In case they should succeed in uniting in a considerable number, they were to be harassed day and night, and operations to be directed with the greatest vigor against distant points."

Such was Canalizo's plan to launch against Texas a thunderbolt of desolation. Manuel Flores was appointed commissioner to the Indians, and provided with letters of a like tenor to the principal chiefs and Córdova, who was instructed to concert with him in conducting the proposed operations. Happily for Texas, an event occurred which warned her of her danger, and prevented the dire plot from being carried into effect. Flores started on his mission, and on May 14th passed between Bexar and Seguin with a party consisting of twenty-five Mexicans and Indians. Having committed several murders, they were pursued by Lieutenant James O. Rice, with seventeen men, and were overtaken about fifteen miles from Austin. In the engagement which followed, Flores and two of his marauders were killed, the rest being put to flight. By this fortunate result, Canalizo's correspondence and instructions fell into the hands of the victors, and the whole plot was revealed to the Texan government. A considerable quantity of ammunition and over 100 mules and horses were also captured.[47]

Lamar's Indian policy, as the reader is aware, was the very reverse of that of the previous administration. But conciliatory measures were no longer possible; pioneers would push forward into lands occupied by native tribes, and the Indians would take their revenge. Texas was no exception to the rule that wherever the aboriginal American and the European came in contact, the former had to give

[46] Copy of these instructions will be found in *U. S. Sen. Doc.*, cong. 32, sess. 2, no. 14, 31–2.

[47] Some of the intercepted letters were addressed to the chiefs of the Caddoes and Comanches, and to Big Mush and Bowles of the Cherokees. *Id.*, 27, 28; *Yoakum*, ii. 257–60.

way The lands occupied for many years by the Cherokees became subject to similar invasion. Their title had never been disputed. They had been recognized by the Mexican authorities, had never intruded on the whites, and in a great measure had become an agricultural tribe. But their territory "in point of richness of soil, and the beauty of situation, water, and productions would vie with the best portions of Texas." [13]

Their lands were consequently encroached on, and the usual retaliatory murders followed. When, however, the papers of which Manuel Flores was bearer to the chiefs of the Cherokees came into the possession of the government, it was determined to remove the tribe. Colonel Burleson, from the Colorado, Colonel Landrum, with his regiment from eastern Texas, and General Rusk, with the Nacogdoches regiment, were ordered to invade the territory, and accordingly took up positions near the Cherokee village about the middle of July. The whole force, about 500 men, was placed under the command of General Douglass. Negotiations for the peaceable removal of the tribe to Arkansas whence they had migrated, having failed, on July 15th Douglass advanced against the Indian camp, on arriving at which he found that the Indians had retreated higher up the river. Being pursued the Cherokees took up a position in a ravine from which they were driven at night-fall, with the loss of eighteen killed, the Texans having three killed and five wounded. On the following day the pursuit was continued, and the Indians were overtaken in the afternoon, having strongly posted themselves in a ravine protected in the rear by a dense thicket. A well contested engagement of an hour and a half ensued, but the Cherokees, after losing about 100 men in killed and wounded, were dislodged from their position and put to flight, taking

[13] Thus writes Gen. Douglass in his reports referred to in the secretary of war's report, Nov. 1839; *Yoakum*, ii. 270.

refuge in the thickets and swamps of the Neches bottom. Among their dead was the famous chief Bowles. The Texan loss was five killed and twenty-seven wounded. About 800 Indians were engaged in these two contests.[14] Thus were the Cherokees driven from their homes and cultivated fields; moreover, the crops of other civilized Indians were destroyed, under the natural belief that they were being raised in order to coöperate with the Mexicans.[15] But the expelled owners did not all leave the country; Cherokees were encountered on the western bank of the Colorado; and depredations on the frontier continued. The native tribes were deeply exasperated against the Texans.

The most hostile and troublesome Indians were the Comanches, and their depredations exceeded those of all other tribes. In February, 1840, they showed a disposition to make a treaty of peace, and on March 19th twelve of their principal chiefs met the Texan commissioners in council at Béjar, where General H. D. McLeod was in command. It was known that the Comanches had thirteen white captives in their power, and the release of these was demanded. The Indians produced only one, a little girl. After a brief discussion, in which the Indians displayed a defiant demeanor, an order was sent to Captain Howard, to bring his company into the council-room, and as soon as the men had taken their position, the chiefs were informed that they would be detained as prisoners until the captives were surrendered. A terrible conflict ensued. The twelve chiefs, who were fully armed, were killed in the council-room, while the warriors in the yard outside maintained a desperate fight. All were finally slain, either there or in the pursuit. Thirty-two Indians were killed and twenty-

[14] *Id.*, ii. 267; *Kennedy*, ii. 341–4.

[15] Gen. Douglass says: The Cherokees, Delawares, Shawnees, Cadiocs, Kickapoos, Biloxis, Creeks, Onchies, Muskogees, and some Seminoles, had cleared and planted extensive fields of corn, beans, peas, etc., preparing evidently for an efficient co-operation with the Mexicans in a war with this country. *Sec. of War's Report*, Nov. 1838.

seven women and children made prisoners. The Texans had seven killed and eight wounded.[16]

Maddened by the loss of so many of their chiefs, and what they deemed an infamous act of treachery, the Comanches returned to their homes to prepare for revenge. On August 4th, a body of them, 600 strong, suddenly appeared at Victoria, surrounding the town before their presence was known. Their attack was, however, repulsed, and they then turned their attention to driving off the horses and stock, and murdering all those who fell into their power. A second attack on Victoria also failed, and on the 8th they crossed the Guadalupe and sacked and burned Linnville, most of the inhabitants escaping on a lighter in the bay. Having thoroughly raided the neighborhood of Victoria and Linnville, and killed twenty-one persons, the Comanches retired toward their homes, with a large number of horses and an immense quantity of booty. Meantime their trail, as they had passed down the Guadalupe, had been discovered, and a force, quickly raised at Gonzalez, was in hot pursuit. On the 9th, the Texans—who had proceeded to Victoria—came up with the Indians, and a slight skirmish took place. But the Comanches declined a general engagement and continued their retreat. The news of their inroad, however, had spread through the settlements, and a large number of volunteers was posted at Plum Creek,[17] to intercept them on their return, General Felix Houston in command. On the 12th the approach of the Comanches was reported by the scouts and preparations were made to recieve them. In the conflict which followed the Indians were completely routed, and scattering, were pursued for fifteen miles, up to the San Antonio road, leaving from fifty to eighty dead on the line of their flight. Several hundred horses and mules with packs and

[16] From Gen. McLeod's official report, *Baker's Tex.*, 154–5.

[17] Plum Greek, a tributary ofthe San Marcos, was some distance beyond the settlement of Gonzalez.

baggage were recovered by the victors.[17]

The Texan government now determined dire revenge on the Comanches. On October 5th Colonel John H. Moore, with ninety Texans and twelve Lipan Indians, were sent up the Colorado in pursuit of those who escaped at Plum Creek. Pursuing a devious course for many days in search of the trail, he at last found it on the Red Fork of the Colorado, and on October 23d his Lipan spies discovered the Comanche village. At daybreak on the following morning the Texans made their attack. The Indians, unprepared to fight, fled to the river on their approach, a murderous fire being opened upon them. Many were shot or drowned in the stream, while those who succeeded in crossing it met their death at the hands of a detachment that had been sent across under Lieutenant Owen. Lamar's system of extermination was well carried out. Men, women, and children alike were put to death. The work of annihilation in the village lasted half an hour, and the pursuit was continued about four miles. Having killed 128 of both sexes, the Texans, who had only two wounded, spared the lives of thirty-four captives. When the massacre was ended the village was burned to the ground, and Moore, having collected 500 horses, returned to Austin, where he arrived November 7th, one of his men having died on the road.[18]

Although the revolutionary movements of the federalists were one of the causes which secured for Texas so long an interval of peace, she was not left entirely out of the influences of them, extending as they did to the states bordering on the Rio Grande. General Canalizo's force at Matamoros at the end of this year did not exceed 1,500 men,[19] and they were

[17] *Linn's Reminis.*, 298-9, 338-44; *Yoakum*, ii. 293-304. These writers are not in accord as to the exact date of the attack on Victoria. Linn was present at Victoria in that town on the occasion, and I consider his account in all respects reliable.

[18] Moore's report, Nov. 7, 1840. *Yoakum*, ii. 304-5.

[19] 'En Matamoros solamente se encontraban 1,500 hombres al mando del general Canalizo.' *Rivera, Hist. Tabasco*, iii. 429.

principally occupied in holding the federalists in check. In the spring of 1839 General Anaya, who was looked upon as the chief of the federalist party, visited Texas in person, and made certain propositions to the government on condition that permission were granted him to convey arms for the federalists through the territory and raise troops therein.[21] Both requests were refused; but there is little doubt of the anxiousness on the part of the northern federalists to enter into a coalition with Texas, from the fact that they deputed Francisco Vidaurri, governor of Coahuila, to make overtures of alliance between Texas and the states of Nuevo Leon, Tamaulipas, Coahuila, Chihuahua, New Mexico, Durango, and the Californias, and separate from the rest of the Mexican states.[22] Though these overtures were not accepted by the Texan government,[23] many people in Texas were in favor of the formation of such a republic.

Some time later General Antonio Canales, Colonels José María Gonzalez, and Antonio Zapata, who were engaged in revolutionizing the northern towns, established themselves for safety at the town of Lipantitlan on the Nueces river, with a number of followers. There Canales issued a proclamation inviting the Texans to join him. Having united a number of Mexicans, and about 180 Texans under Colonels Reuben Ross and S. W. Jordan, on September 30, 1839, with a force of 600 men, he crossed the Rio Grande, and marched against Guerrero, then occupied by General Pavon with 500 regulars and four pieces of artillery. Pavon, however, retreated toward Mier and

[21] *Id.*, iii. 427–8. The recognition of the independence of Texas was doubtless promised by Anaya in case centralism was overthrown. The periodical, *La Enseña*, published in the Mexican capital, urged it, and a large number of Mexicans, recognizing that reconquest was impossible, was in favor of the same.

[22] Taken from the *Houston Telegraph*, in *Niles' Reg.*, lvii. 19.

[23] Perhaps there was some truth in Rivera's remark that the Texans had no wish to mix themselves up in the domestic quarrels of Mexico, but while strengthening themselves leave her to grow weaker. *Hist. Jalapa*, iii. 428. He nevertheless states that the Texans wished to form a North-Mexican republic.

Canales occupied the town October 1st. On the 3d Pavon, who had taken up a position about twelve miles southwest of Mier, offered battle. In the engagement which ensued, nothing could restrain the impetuosity of the Texans who, in defiance of the orders of Ross and Jordan rushed within point-blank range of the enemy, and opened fire, while their Mexican allies coolly looked on. Whereupon Ross and Jordan gave the order to charge. In twenty minutes the Texans had carried everything before them, and the centralists were in full flight. The victory cost them fourteen in killed and wounded, while the enemy's loss was about 150 in all. This engagement is known as the battle of Alcantro. Pavon, owing to the confusion and incapacity of Canales, made good his retreat to a stone rancho five miles distant, but on the following morning, being without water or provisions, surrendered to the Texans. The artillery and 350 prisoners fell into the hands of the federalists.

The advantages of this achievement were entirely lost by Canales, who after remaining inactive at Mier for forty days marched against Matamoros, his force having increased to over 1,000 men. On December 12th he laid siege to the place which was defended by 1,500 men and 18 pieces of artillery. Of course he effected nothing, and on the 16th declared his intention of raising the siege. This decision disgusted both the federalists and Texans, the latter of whom offered to lead as a forlorn hope in storming the place. The proposal was rejected and Ross with fifty Texans returned to their homes.

Canales then directed his course to Monterey where General Arista commanded. On December 23d, hearing that the centralist general had received a large reenforcement, he entrenched himself within six miles of the city, and in the morning was confronted by Arista with an army of about 2,000 men. A few insignificant skirmishes took place, but Arista seems not to have been anxious to draw on an engagement

while the Texans were in the opposing ranks. He succeeded, however, in detaching by intrigue most of Canales' troops. Compelled to retreat, he recrossed the Rio Grande with the Texans and a few faithful Mexicans, January 7, 1840, when forty-five of the former returned to their homes.

The force of Canales was now very small, yet he issued a proclamation calling a convention of delegates to organize the republic of the Rio Grande. This was done, January 18th, Jesus Cárdenas being chosen president and Canales commander-in-chief. Having received some addition to his force Canales proceeded to Guerrero, where he remained till February 18th, and then went to the old presidio of Rio Grande. Here Jordan, with sixty Texans, displeased at his refusal to march to the Nueces for reënforcements, left him, and returned to Texas. After this Canales advanced to Morales where he sustained, March 15th, a severe defeat at the hands of Arista and barely escaped into Texas.

After these disasters and his repeated exhibitions of bad generalship, it is astonishing that he should have met with any more encouragement in Texas. Nevertheless, having fixed his headquarters at San Patricio, and raised the banner of the Republic of the Rio Grande, by June he was again joined by Jordan with 110 volunteers, by Colonel William S. Fisher with 200, and Colonel John N. Seguin with 100. These, with 300 Mexicans, raised his force to 710 men. He now set out on a third expedition, Jordan with his command and 150 Mexicans under Colonels Lopez and Molano being sent in advance of the main army. What his object was in thus dividing his force, and especially the Texans, is inexplicable. I can only suppose that he was influenced by Lopez and Molano, whose treachery became evident by subsequent events.

Jordan, unconscious of any design to destroy him, successively occupied Laredo, Guerrero, Mier, and

Camargo. Induced by the representations of Lopez and Molano he then pushed rapidly forward into the interior, leaving Camargo June 26th. Tula, Morallo, and Linares were in turn occupied, and on August 17th the federalists entered Victoria, the capital of Tamaulipas, where they were received with demonstrations of joy. Here a new state government was established and some time was spent in recruiting. Reports having arrived that Arista was approaching with a strong force, Lopez and Molano decided to retreat to the mountains, a movement so strongly opposed by the Texans, that the army was halted three miles from Victoria and took up a position in which it remained for a week without the enemy appearing. It then proceeded to Jaumare, a mining town in Sierra Madre, and a counsel of war having been held, it was decided to march against Saltillo. The route was unknown to the Texans, and Lopez and Molano were really conducting them toward San Luis Potosí. Fortunately all the Mexicans were not so treacherous, and Jordan was secretly informed by Captain Peña of the direction in which they were marching, whereupon the Texans insisted upon their course being altered. In twelve days they arrived at the hacienda del Potosí, one day's march from Saltillo, where Jordan received an express from a friend at Victoria informing him that he was betrayed, and that the Mexican leaders for a sum of money had engaged to place the Texans in such a position that they would be overwhelmed by the enemy. They now prepared for the worst, and on October 23d set out for Saltillo. Three miles south of the city the enemy was discovered entrenched on a hill; whereupon the federalists took up a position on an eminence separated from it by a ravine.

The centralist army was 1,000 strong, with two nine-pounders; that of the federalists, 385 strong, consisting of 110 Texans, 150 mounted rancheros, and 75 infantry. At one o'clock in the afternoon the

centralists under generals Vasquez and Montoya prepared to attack. The Texans, convinced of the intended treachery of their allies, at once moved rapidly along the ravine and took possession of an old hacienda within 150 yards of the enemy's entrenchments. The infantry being ordered to occupy a stone house on their left, unhesitatingly marched over to the enemy. And now the centralists opened fire with their artillery upon the position of the Texans. At the first shot, Lopez rode over to them with the rancheros under his command, taking with him the ammunition of the federals. The situation of the Texans was desperate. Yet, deserted as they were, and with no more ammunition than that which they had on their persons, they determined to fight to the death. For some time the enemy's guns played upon them, but, crouching low behind the old walls, they suffered no harm. At four o'clock the centralists advanced to the assault. Hitherto the Texans had not fired a shot —they had no powder to waste in long range practice. When, however, the assailants had advanced to within thirty yards of the walls, they rose, and with a shout of defiance poured into them a dreadful volley, every bullet striking its human mark. But the enemy fought well. The inhabitants of Saltillo, informed that the triumph of the centralists was certain, had sallied forth, men, women, and children, to witness the combat, and column after column, encouraged by their cheers, advanced to the attack, only to be successfully repulsed by the withering fire of the Texans. At length the centralist ranks became disordered and demoralized. A panic followed, and the soldiers fled to Saltillo, with thousands of frantic spectators, in the utmost confusion. They left 408 men dead on the field—few were the wounded on that day—their two guns, and a great quantity of small arms and ammunition. The Texans had five killed and seven wounded.

Jordan, after this victory and experience in Mexican good faith, wisely took up his retreat to Texas. On

his route, he encountered a body of the enemy's cavalry, 400 strong, which charged him on an open plain. But the rifle soon put them to flight, and he and his heroic band reached the Rio Grande without mishap. Meantime, Canales had effected nothing. After the departure of Jordan, he crossed the Rio Grande and marched against the small town of San Marino, in eastern Tamaulipas. Finding that a centralist force was near that place, he retreated to Camargo, where having remained for some months in comparative inactivity, he finally entered into a capitulation with Arista, in November, by which he submitted to the government and surrendered up his arms and ammunition. He stipulated, however, for the lives and liberty of his Texan auxiliaries.[24]

Thus ended the attempt to establish the Republic of the Rio Grande, a scheme which, wholly ignored by the Texan government, may be regarded as a chimerical aspiration of the northern federalists. It nevertheless decoyed into their ranks a number of adventurous Texans, and was undoubtedly of service in keeping the Mexican forces occupied, thereby preventing invasion.

It has already been mentioned that Texas claimed the Rio Grande to its main source as her boundary line. The claim was a thoroughly arbitrary one, nor had any attempt been made by the government to establish jurisdiction over that portion of New Mexico lying within the limits defined by the act of December 19, 1836. But in 1841 an expedition to Santa Fé was projected, which, it was hoped, would lead to the acquirement of that territory. Congress not having made an appropriation for the regular army, it was disbanded, and many adventurous men, thus thrown on their own resources, were very anxious to take

[24] *Pratt's Notes of the Federal Campaign of 1839–40*, closely followed by Yoakum, ii. 274–9, 288–97; *Bustamante, Manif.*, in *Pap. Var.*, 185, no. 1; *Rivera, Hist. Jalapa*, iii. 440, 441–2, 465–6; *Thrall*, 307–10; *Niles' Reg.*, lix. 225–6.

part in such an enterprise. The project was recommended by the secretary of war, who proposed the opening of a military road from Austin to Santa Fé, and it was regarded with especial favor by Lamar. An extensive trade had been carried on for many years between the latter place and the United States through St Louis, and it was expected that it would be diverted and take a direction through Texas if that assumed portion of her territory could be conciliated and united by the bonds of commercial interests. The scheme was an ill-digested one. Between the settled districts of the two sections extended a region 600 miles in width, uninhabited except by roaming hordes of savages; the population of Santa Fé was entirely Mexican, under Mexican rule, and the governor, whose power was autocratic, would not be likely to sanction any change that would affect his petty sovereignty.

In the spring of 1841, active preparations were made for the expedition, which was organized on a military basis. The friends of the movement introduced a bill into congress which, if passed, would have authorized it and provided a portion of the necessary outfit. The bill, however, was rejected in both houses. The responsibility of the undertaking, which thus wanted the sanction of law, rests therefore upon Lamar,[25] who officially supported it, and addressed a proclamation to the authorities at Santa Fé setting forth the object of the expedition. If they were willing, he said, to submit to the laws of the Texan republic, and acknowledge her jurisdiction, arrangements would be made to extend the laws over that territory; but in case the people were averse to changing their allegiance, then he wished to establish friendly commercial relations with New Mexico. The instructions given to the commander of the expedition prohibited him from attempting the subjugation of the country if the people were unwilling to submit. The military

[25] Lamar had obtained permission from congress to absent himself, and the government was being administered by Burnet at this time.

organization of the expedition was only for the purpose of self-protection against the savages.

On June 20th, 1841, the expedition started from Brushy creek, about twenty miles from Austin. It consisted of five companies of mounted infantry, and an artillery company, which had one brass six-pounder, in all 270 soldiers. They were accompanied by about fifty other persons—traders, teamsters, and adventurers. William G. Cooke, B. F. Brenham, and J. A. Navarro, were appointed as commissioners, and charged by the president with the execution of his instructions. The expedition was placed under the command of Brigadier-General Hugh McLeod. From the first start difficulties were encountered. The wagons were overloaded, and much delay occurred therefrom; the guides were ill-acquainted with the route, and finally lost their way in the Washita mountains. The distance to Santa Fé had been greatly under-estimated, and having started too late in the season, both grass and water were sadly wanting. After great sufferings and losses, exposed to attacks by Indians, who cut off all stragglers, the expedition arrived August 11th, at a point which was supposed to be about seventy-five or eighty miles from San Miguel. Here three of the party, Howland, Baker, and Rosenburg were sent in advance to that place to procure provisions and consult with the inhabitants as to the probable reception of the expedition.

The main body, slowly continued its march, men and animals gaunt and feeble with hunger. A few days after the departure of Howland, Lieutenant Hull and four men, being in advance, were killed by Indians, and their bodies mutilated. The 31st of August, after a consultation, it was decided to divide the command, and send in advance those best able to travel. Accordingly ninety-nine men were detached and, under Captain Lewis, left the main body for San Miguel.[1]

[1] Kendall, the historian of the expedition says: 'However unpolitic it

The final disaster now approached: Howland, Baker, and Rosenbury had made their way to San Miguel, where, as soon as their mission was known, they were arrested and sent to Santa Fé. General Manuel Armijo, governor of New Mexico, was the last man in the world to allow his authority to be interfered with. He was a tyrant, and hated by the greater portion of the people; if the Texans reached Santa Fé and the inhabitants became aware of Lamar's invitation, he knew well that they would turn against him, and he determined to crush the invaders before they reached the capital. Proclaiming to the people that the Texans were approaching to kill and destroy, he marched out of Santa Fé with a strong force to attack them. Meantime Captain Lewis and his command had reached the Rio Gallinas where they found settlements and flocks of sheep, which supplied them with abundance of food. From this place Lewis, with four others, one of whom was Kendall, were sent forward September 14th to San Miguel, with a letter to the alcalde, informing him that a trading party was approaching, and taking with them a number of copies in Spanish of Lamar's proclamation. Before reaching their destination, however, they were made prisoners and sent to Santa Fé. Meeting Armijo on the way, they were brought back by him to San Miguel, where they witnessed the execution of Howland and Baker. These unfortunate men with their companion, had effected their escape, but were recaptured after a desperate resistance, Rosenbury being slain on the spot.

Events now followed quickly. Lewis proved a traitor, and by his representations the advance troops, then under Colonel Cooke, one of the commissioners, were induced to lay down their arms and surrender to Salazar, who had almost surrounded them with 600 men. This was on the 17th. On the following day,

may be considered to divide a command, in this instance such a course could not be avoided. We were completely lost, and without power of moving forward; our provisions, which had for weeks been scanty, were now almost entirely exhausted.' *Tex. Santa Fé Exped.*, i. 211.

Armijo came up with the rest of his forces. By his orders the prisoners were tied together in companies of four, six or eight, according to the different lengths of the lariats with which they were bound, and sent forthwith to Mexico. He then marched against the main body under McLeod, which had painfully advanced to Laguna Colorado, about thirty-five miles from Rio Gallinas. Most of the horses had perished; many of the men, in desperation induced by famine and exhaustion, had thrown away their arms, and few of them had strength enough to fight. Upon assurances being given that they should receive good treatment, the Texans surrendered; which was no sooner done than they were plundered, bound together in batches, and marched off to San Miguel, where the last of them arrived October 12th. From that place they were sent on the same long journey on which their companions-in-arms were toiling in advance of them.

Such was the miserable end of this foolishness,[27] from which so much had been expected. The miseries of the captives during their march were almost insupportable. On their arrival at the Mexican capital, they were thrown into noisome dungeons, some in Mexico, and others in Puebla and Perote. Fortunate were those who could prove themselves citizens of the United States or subjects of European nations; the representatives of their respective countries strenuously interested themselves in their behalf, and obtained their release[28] in the spring of 1842. On the 13th of June, 119 prisoners were released by the clemency of Santa Anna, who had again risen to the supreme power, on the celebration of his birthday.[29] But the

[27] Gen. Jackson in a letter to Houston, of May 25, 1842, writes: 'The wild-goose campaign to Santa Fé was an ill-judged affair; and their surrender without the fire of a gun has lessened the prowess of the Texans in the minds of the Mexicans.' *Yoakum*, ii. 329.

[28] See *Dublan* and *Lozano*, *Leg. Mex.*, iv. 154, 198.

[29] *Kendall's Narrative of the Texan Santa Fé Expedition*, New York, 1844, 2 vol., pp. 405, 406; *Yoakum*, ii. 321–31, 336, 341–3; *Thompson's Recol. Mex.*, 52–3, 77–9, 92–3, 155, 279–81; *Derecho, Intern. Mex.*, pte 3 a 237; *Bustamante*,

unfortunate commissioner, Navarro, having incurred the special hatred of the tyrant, was incarcerated first in the capital and afterward in a dungeon in San Juan de Ulúa, where he languished for fourteen months, finally escaping from Vera Cruz in January, 1845.[30]

It soon became evident that the situation of Houston was not such as to entitle it to become the permanent seat of the government. On January 14, 1839, an act was passed by congress appointing five commissioners to select a site for the future capital. The commissioners were Albert C. Horton, Lewis P. Cook, Isaac W. Burton, William Menifee, and J. Campbell, who made choice of the location where Austin now stands. Although at that date the new town, which was immediately laid out, was situated on the extreme frontier of the settlements, the commissioners showed their wisdom in the selection. They aimed at establishing a permanent capital, which would occupy a central position when Texas had become a thickly populated country; and though the government and congress would be within striking distance of hostile Indians,[31] Austin as their seat would draw westward

Hist. Santa Anna, MS., iii. 8–9; *Id., Diario Mex.*, MS., xliv. 81, 169; xlv. 71; *U. S. H. Ex. Doc.*, 27 cong., 2 sess., vol. v., Doc. 266.

[30] José Antonio Navarro was born in San Antonio de Béjar, Feb. 27, 1795, his father being a native of Corsica, and an officer in the Spanish army. He was a stanch federalist and a foe to military depotism. In 1834–35 Navarro was land commissioner for Béjar district; a member of the convention in 1836, and a member of congress in 1838–39. He was condemned by Santa Anna to imprisonment for life, though during his captivity he was several times offered pardon, liberty, and high office, if he would abjure forever Texas, his country. These propositions were rejected with scorn. In Dec. 1844, just before the fall of Santa Anna, he was removed from San Juan de Ulúa and allowed to remain a prisoner at large in Vera Cruz, whence he escaped Jan. 2d, arriving at Galveston, Feb. 3, 1845, after an absence of more than three years and a half. On his return he was elected delegate to the convention held that year, to decide upon the question of annexation, and was afterward senator from Béjar district in the state congress. He died in his native city in 1870. *Cordova's Tex.*, 145–53; *Thrall*, 596.

[31] Nor did the Indians fail to strike. I copy the following from the memoranda of Anson Jones for the year 1840: 'Austin, March 13th. Woke up at night with the alarm of Indians. The suburbs of the town were plundered of all the horses, and Ward and Hedley killed and scalped; heard the cries of the latter while under the hands of the Indians. April 6th. Constant alarms of Indians and Mexicans. Our wise government has resolved upon

settlers, who would populate that portion of the country, and serve as a protection to an ever-extending frontier of civilization. In August, the town-lots of the new capital were sold, buildings were soon erected, the offices of the government were transferred thither, and in November congress assembled in a hall surrounded by the wilderness."

During the administration of Lamar, the relations of Texas with European powers wore as favorable an aspect as could possibly be expected. While Houston was president, General J. P. Henderson had been sent as commissioner to London and Paris to obtain an acknowledgment of her independence. The British government was kindly disposed toward the new republic, inasmuch as it was plainly foreseen that Texas, being chiefly an agricultural country, her people would become large consumers of foreign manufactures, while her capacity for the production of raw material, especially cotton, England's great demand, was immense. Moreover, the known tendency of the Texans to free-trade principles was another inducement for that great power to hold out the hand of friendship to an infant nation that would grow robust in time. Great Britain desired to find in Texas a market for her merchandise, "without having to climb over the United States tariff."[2] Henderson therefore experienced no difficulty in making a commercial treaty in 1838 with the British government, under the reservation, however, that until that power formally recognized Texas, it would consider her as a part of Mexico. In November of the same year, a similar treaty was made with France, but without the reservation; and

fortifications at Austin. June 12th. Stood guard over the town all night.' *Rep. Tex.*, 38.

[1] Austin did not retain her eminence as the capital of Texas without a struggle. In 1872, however, that city was proclaimed by popular vote the permanent capital of the state, Austin receiving 63,297 votes, Houston 35,188, and Waco 12,778. *Thrall*, 306.

[2] These are Lord Aberdeen's words to Ashbel Smith, the Texan minister to England and France in 1842. *Smith, Reminis. Tex. Rep.*, 36.

in September 1839, the treaty was ratified, and the independence of Texas acknowledged by the French government. Owing to the ridiculous affair before mentioned,[34] diplomatic intercourse was soon afterward suspended between the two nations until 1842, when friendly relations were resumed.

When General Hamilton arrived in London as the Texan representative, he negotiated a convention with the British government, in which it was stipulated that Texas should assume £1,000,000 of the debt due by Mexico to English holders of her bonds. This convention, as well as the commercial treaty, as finally agreed upon, was signed in London November 13, 1840; both were ratified by Texas in February 1841. The treaty, however, met with much opposition by the British and Foreign Anti-slavery Society, which urgently remonstrated against its being ratified by the English government. Ashbel Smith, the Texan minister to London, arrived in that city April 1842, bearing the ratified copies of both agreements, which, after some delay, were exchanged with Lord Aberdeen in face of opposition, a treaty granting the reciprocal right of search for the suppression of the African slave trade having been first exchanged.[35] The independence of Texas was thus recognized by two of the greatest powers of Europe. It remains to be added that Holland and Belgium recognized her independence

[34] The particulars are as follows: The horses of M. Saligny, the French representative in Texas, were fed on corn. The pigs belonging to Mr Bullock, a hotel-keeper, intruded into the stables to pick up the corn which the horses let fall to the ground. One of M. de Saligny's servants killed some of the pigs. Bullock whipped the servant. This enraged M. de Saligny, and Bullock was arrested for assault, and bound over to answer at the next term of the district court. Affronted soon afterward by Bullock, Saligny demanded his immediate punishment, and a warm correspondence between him and the Texan sec. of state followed. Not obtaining the satisfaction he wished, the exasperated Frenchman demanded his passports and left his post. *Gouge's Fisc. Hist. Tex.*, 110–11; *Smith's Reminis. Tex. Rep.*, 32. Saligny returned to Texas in 1842. *Id.*, 34.

[35] *Id.*, 33, 38; *Maillard's Hist. Rep. Tex.*, 180–92, 411–29; *Niles' Reg.*, lx. 33, 177; lxii. 337, 384; *Kennedy*, ii. 353–4; *Rivera, Hist. Jalapa*, iii. 515–16; *Bustamante, Gabinete Mex.*, ii. 7–14; *Id.*, MS., ii. 158–70, 183–5; *Rivero, Mex. in 1842*, 118.

in 1840, a treaty of commerce with the former country being signed at The Hague September 18th of that year.[5]

While Texas was thus successful in obtaining the acknowledgment of her independence by foreign nations, all her efforts to secure the same from Mexico failed. In 1839, the Texan government, entertaining some expectation that Mexico would be inclined to listen to proposals for peace, sent Bernard E. Bee, as diplomatic agent to that government. Bee arrived at Vera Cruz in May, where he remained for ten days, pending the decision of the government, with regard to the question of his reception. He was courteously treated by General Victoria, governor of Vera Cruz during his stay in that city. The Mexican authorities finally decided not to receive him, and he embarked on the French frigate, *La Gloire*, bound for Habana.[6] Texas, however, had a secret agent in the Mexican capital who, in 1840, under the auspices of Packenham, the English minister in that city, succeeded in submitting to the government the basis of a treaty of peace. Packenham, moreover, offered to act as mediator. The treaty and the offer were alike rejected by Mexico. In 1841 the British government, without waiting for the exchange of ratifications of the mediation convention, officially instructed Packenham to bring before the Mexican authorities the proffer of Great Britain, to mediate between that power and Texas, and Mr Burnley, provided with a letter of introduction to him from Lord Palmerston, proceeded to Mexico as negotiator on the part of Texas.[7] But

[5] The Mexican minister of foreign relations found fault with Holland for not having previously advised the Mexican government of his intention. *Mex., Mem. Min. Rel.*, i. doc. 13; *Diario del Gob. Mex.*, Jan. 24, 1841, p. 2.

[6] Bee's letters in *Niles' Reg.*, lvi. 242, 259, 273–4. Victoria was instructed to say to Bee, that he might represent to him the object of his mission in writing, not in any public character, but as a commissioner of the revolted colonists of Texas. If the object was to ask the recognition of the independence of Texas, Bee was to be immediately required to reembark. *Rivera, Hist. Jalapa*, iii. 418–19; *Bustamante, Gabinete Mex.*, ii. 7–8.

[7] James Webb was also sent from Texas as commissioner, to open and conduct the negotiations. He was not received, and immediately returned. *Yoakum*, ii. 318.

Mexico paid no more heed to the British nation than she had done to her diplomatic agent. She unhesitatingly declined any such mediation, refused to entertain the question of peace, unless Texas resigned her claim to independent sovereignty, and prepared for war.[39]

In September 1841, the presidential election was held, by which General Houston was a second time chosen president, receiving 7,915 votes against 3,616 cast for David G. Burnet, Edward Burleson was elected vice-president with 6,161 votes, his competitor, Mennican Hunt, having received 4,336.

When congress met in November, Lamar opened his message with congratulations upon the prosperity of the country. The relations with Mexico were such that he advised hostilities, and stated that he had made arrangements to send the Texan navy to coöperate with the government of Yucatan, which had lately declared her independence of Mexico. He was opposed to a military invasion of the enemy's country, but advised the establishment of military posts west of the Nueces, for the protection of that portion of Texas. He recommended congress to take into consideration the traffic conducted by the people of the western frontier—a trade of which he highly approved; and spoke in glowing terms of the probable results of the Santa Fé expedition. In his sanguine hopes, he already saw the rich resources of the commerce of New Mexico pouring wealth into the coffers of Texas!

But Lamar, distinguished though he was for his courage, unquestioned integrity, and pure patriotism, utterly failed as a ruler; and when he retired from the presidency, the republic was in a dilapidated condition. The public debt had been increased nearly four-fold, and the public credit had fallen to zero; by

[39] *Gorostiza, Dictamen*, 1840, *in Pap. Var.*, 212, no. 8; *Rivera, Hist. Jalapa*, iii. 440; *Bustamante, Gabinete Mex.*, ii. 11–12; *Id.*, MS., iv. 17; *Niles' Reg.*, lix. 195, 257; *Young's Hist. Mex.*, 305; *Otero, Obras*, MS., i. 313–7; ii. 1–4; *Tex. Col. Doc.*, no. 5, in *Pinart's Col. Smith's Reminis., Tex. Rep.*, 38.

his savagism as displayed in the extermination creed, the Indians had been driven to the highest degree of exasperation; the balance of trade was heavily on the debit side;* and his last pet scheme, the Santa Fé expedition, ended in a climax of disaster.

During Lamar's administration, the question of annexation to the United States lay in abeyance. As the reader is aware, he was violently opposed to such a union, and in Texas the subject, though sometimes alluded to, was apparently dropped. In the United States, however, it was not only discussed by the press, but was brought from time to time before congress. The application for admission into the Union had been peremptorily refused. On August 4, 1837, Memican Hunt, the Texan envoy to Washington, addressed a letter to Forsyth, the American secretary of state, making a proposition for annexation. Forsyth replied on the 25th, rejecting the overture in decided terms, and the subject was dismissed without reserving it for further consideration. The government at Washington justly maintained that so long as Texas was at war with Mexico, and the United States at peace with her, annexation would constitute a breach of treaty with Mexico, not only dishonorable, but also certain to involve the United States in war with that nation.[41]

The labors of office and the animadversions to which he was exposed, induced Lamar to apply to

*The following table of imports and exports is obtained from *Gouge's Fiscal Hist. Tex.*, 84, 128:

	IMPORTS.	EXPORTS.
Year ending Sept. 30, 1838	$1,740,376.87	$183,323.00
Year ending Sept. 1, 1839	1,506,897.67	274,518.02
Year ending Sept. 1, 1840	1,378,568.98	220,401.15
	$4,625,843.52	$678,242.24

Showing a balance of trade for these three years against the republic of $3,947,600.

[41] Copy of correspondence in *Hunt's Address*, 21–43; *U. S. H. Ex. Doc.*, 25 cong., 1 sess., Doc. 40; and *Cong. Debates*, 1837, xiv., app. 117–22. For further discussions on the subject in the U. S. congress, see *H. Ex. Doc.*, vol. iv., 25 cong., 2 sess., Doc. 136; *U. S. Sen. Doc.*, 25 cong., 2 sess., Doc. 50; Congress Globe, 1837–8, p. 12, 25, app. 555; *Id.*, 1838–9, p. 18; *Id.*, 1839–40, p. 274, 281, 541.

congress for permission to absent himself; and his request being granted, during the last year of his term, the government was administered by Vice-President Burnet.[42]

[42] *Thrall*, 317. From Dec. 15, 1840 to Feb. 3, 1841, the acts of congress are approved by David G. Burnet, after which date no signatures are attached to the acts passed in the copy of *The Laws of the Republic of Texas* in my possession, only the word 'approved,' with the date, being used.

CHAPTER XIV.

END OF THE TEXAN REPUBLIC.

1841–1846.

HOUSTON'S SECOND ADMINISTRATION—REDUCTION OF EXPENSES—VASQUEZ TAKES BÉXAR—CORRESPONDENCE WITH SANTA ANNA—OPERATIONS OF THE NAVY—THE ARCHIVE WAR—REGULATORS AND MODERATORS—ENGLAND'S NEUTRALITY—WOLL'S INROAD—DAWSON'S DEFEAT—SOMERVILLE'S DUBIOUS CONDUCT—BATTLE OF MIER—MEXICAN GUILE—THE CHARGE ON THE GUARD—A GRIEVOUS MISTAKE—THE DEATH-LOTTERY—THE PRISONERS AT PEROTE—SNIVELY'S EXPEDITION—ROBINSON'S DIPLOMACY—THE ARMISTICE—RIVALRY OF THE UNITED STATES AND ENGLAND—ANSON JONES ELECTED PRESIDENT—HOUSTON'S FAREWELL MESSAGE—HIS DIFFICULT POSITION—ANNEXATION—THE STATE CONSTITUTION.

PRESIDENT Houston sent in his message to congress December 13, 1841. He did not conceal the fact that his administration would be guided by a policy diametrically opposite to that of his predecessor. He deprecated the interference on the part of Texas in the revolutionary movements in Mexico, and recommended that kindness should be extended to that people, and an armed neutrality maintained. As all overtures for peace had been rejected by the Mexican government, no further effort would be made in that direction. On the subject of relations with the Indians, he declared his policy would be different from that lately pursued. He urged the establishment of trading-posts on the frontier, each protected by a garrison of twenty-five men, and recommended that treaties should be made with the savages. This system, he believed, would conciliate them, and could be carried out at an expense of less than one quarter of the appropriations that had been made in the attempt

to exterminate them.[1] With regard to the deplorable financial condition of the republic, he remarked that there was not a dollar in the treasury; the nation was "not only without money, but without credit, and for want of punctuality, without character." The amount of liabilities had not been ascertained, but he advised a total suspension of the redemption of the national debt until such time as the government could redeem in good faith those liabilities which it ought to redeem. To sustain the government, the president recommended the reduction of taxes by one half, and that all taxes and customs should be paid in specie or paper at par value. He then expressed himself in favor of a new issue of exchequer bills to the amount of $350,000, for the redemption of which he proposed that 1,000,000 acres of the Cherokee country should be reserved. He also suggested raising a loan of $300,000 on the public domain.

Acting upon the president's suggestion, congress, on January 19, 1842, authorized him to issue exchequer bills to the amount of $200,000, the law further providing that only gold, silver, and such bills should be received in payment of duties and taxes, and that when the bills returned to the treasury, they should be cancelled. But this paper soon suffered the same fate as the treasury notes, or red-backs as they were called from the color of the paper. The same act declared that the treasury notes were no longer receivable in payment of public dues, and no one could assert that congress would not adopt a similar measure with regard to the new issue. The consequence was that the bills sank rapidly to thirty-three cents, and before the end of the year to twenty-five cents.[2]

As long as Texas had been able to borrow, she bor-

[1] See note 6, this chapter.

[2] A special session of congress was convened June 27, 1842, and on July 23d an act was passed requiring the collectors of revenue to receive exchequer bills only at the current rate at which they were sold in the market. *Tex., Laws Rep.*, 1842, 4. This measure, however, did not cause them to rise much in value. Consult *Gould's Fisc. Hist. Tex.*, 116–19.

rowed, and as long as her paper was of any value at all, she issued it and lived on the proceeds, no matter how ruinous the rate. But at the close of Lamar's administration, the treasury notes had sunk to fifteen and twenty cents in the dollar,[1] and though economy was regarded with no high favor by the Texans, it became evident that retrenchment was the only recourse left. Under the first administration of Houston, the salaries of the president and all members of the government had been fixed exorbitantly high, while a great number of superfluous offices had been created. To do away with this extravagance — ridiculous in a nation whose Anglo-Saxon population did not amount to 100,000[2] — congress passed a law December 11, 1841, abolishing many offices, and reducing salaries to less than one half.[3] This was striking at the root of the evil, and produced effect. The system of economy, moreover, was practised in all branches, as is evidenced by the fact that, according to the best accounts to be gathered, the payments made by the treasurer during Lamar's administration amounted to $4,855,215, while during the three years of Houston's second term, they only amounted to $493,175, and $17,907 disbursed on account of mail service and tax

[1] The passage of the Exchequer Bill act deprived them of what little value they had. They rapidly fell to ten, five, four, and two cents in the dollar, till finally no price at all could be obtained for them in many parts of Texas.

[2] Kennedy, ii. 330, who published his work in 1841, while admitting the difficulty of forming a close estimate, fixed the average of the Anglo-American population at 200,000. Foreigners give 180,000 as the total population in 1840. Both of these estimates are far beyond the mark. *Camp of Cruz*, 41. Maillard, who, as Ashbel Smith says, 'published a voluminous libel of 500 or 600 pages on Texas, its climate, its productions, and its people,' *Rem. Tex. Rep.*, 58, places the number of the Anglo-Americans at about 54,088; that of the Indians at 80,000; and of the negroes at 10,000 to 12,000; in all, 146,088. *Hist. Rep. Tex.*, 202-4. Thrall, page 316, says the whole population was less than 50,000 at this time. In 1847 the first census was taken, showing a total of 135,775, exclusive of Indians. Of that number, 100,508 were whites, 35,207 slaves, and ten free negroes.

[3] The president's salary was reduced to $5,000 per annum; vice-president, to $1,000; members of the cabinet, to $1,500, att'y-gen., to $1,000; com. gen. land-office, to $1,200; treasurer, comptroller, and auditor, to $1,000. The chief justice was to receive $1,750 instead of $5,000 as heretofore; and so on in proportion. *Tex. Laws Rep.*, 6 cong., 13-14. Consult act of Dec. 9, 1836, *Id.*, i. 69-70, and chap. xii., this volume.

collecting.[6] It is true that the limit of credit had been reached, and that Houston could not obtain the money to spend which his predecessor had commanded; but it is equally true that Lamar carried his paper-money principle to the height of extravagance, and rode his horse to death.

One of the arguments used by the advocates of annexation was the failure of Mexico to attempt to reconquer Texas. For six years, they said no hostile army had invaded the territory, and the war might be considered as virtually ended, though no formal recognition had been made by Mexico, her inactivity displayed an indifference which had all the appearance of a tacit acknowledgment that she considered reconquest impossible. In order, therefore, to maintain her claim, it became necessary to make some military demonstration, and at the close of 1841 preparations were made to invade Texas. On January 9, 1842, General Arista issued a proclamation from his headquarters at Monterey, to the inhabitants of Texas, in which he stated that the Mexican nation

[6] *Gouge, ut sup.*, 126–7. Yoakum, ii. 340–1, supplies a comparative statement of the salaries paid the officers employed at the seat of government in the years 1840–2, made out by James B. Shaw, comptroller, Dec. 16, 1842. As the figures show an astonishing retrenchment, I reproduce them:

1840	$174,200
1841	173,506
1842	32,800

The same comptroller exhibited a statement dated March 20, 1854, showing the expenses incurred by the republic in protecting her frontier against the Indians during the years 1837–44 inclusive. Yoakum, ii. 282, compiled the following table from it:

1837, 1838	Houston's first term	$ 20,000 170,000 $190,000
1839, 1840, 1841	Lamar's term	$1,430,000 1,027,319 95,000 $2,552,319
1842, 1843, 1844	Houston's second term	$20,000 66,950 17,142 $104,092

would never consent to the separation of the territory, and that it was only owing to the civil wars in Mexico, that revolutionary men had compelled them to constitute themselves as an independent nation. He solemnly declared that Mexico was determined to recover her rights through the only means left her, namely, persuasion or war. After stating that hostilities would only be directed against those who sustained and fought to maintain the Texan nationality, he called upon the people to reflect and consider their own interests, and to return to their allegiance.[1]

On March 5th, General Rafael Vasquez appeared before San Antonio de Béjar, at the head of 500 men.[2] The Texan force stationed there was too small to cope with the enemy, and evacuated the town when the surrender of it was demanded. Having taken possession of the place, hoisted the Mexican flag, and declared the Mexican laws to be in force, Vasquez on the 7th departed.[3] About the same time small forces of Mexicans occupied Refugio and Goliad, but likewise soon retired.

This inroad, which was intended as nothing more than a mere demonstration by Mexico in support of her rights, thoroughly roused the Texans. On the 10th of March, Houston issued a proclamation calling upon all citizens subject to military duty, to hold themselves in readiness to repair to the scene of action in the event of a formidable invasion; and on the 21st of the same month he addressed a letter to Santa Anna, which was extensively circulated in Europe and the United States, and even published in Spanish in Yucatan, whence copies found their way into Mexico.[4] Houston was instigated to ad-

[1] Translation of proclamation in *Niles' Reg.*, lxii. 67.

[2] Yoakum says about 700 men.—ii. 349.—but Arista reporting to the comandante general at Chihuahua, gives the number in the text. *Vide de Sos.*, April 15, 1842, i., no. 3, p. 34.

[3] *Bustamante, Hist. Santa Anna*, 49–50; *Id., Diario Mex.*, MS., 109, 127; *El Siglo*, xix., March 30, 1842; *Diario Gob. Mex.*, March 19, 1842; *Yoakum*, ii. 349–50.

[4] Besides being published in pamphlet form it is reproduced in *Id.*, ii. 544–54; *Houston, Life of*, 211–24; and elsewhere.

dress the Mexican president by the perusal of certain correspondence which had lately passed between Santa Anna, and Bernard E. Bee and General Hamilton, and to which his notice had been called. These agents of Texas had written to Santa Anna on their own responsibility. Bee's main object was to procure good treatment of the Santa Fé prisoners; but he urged that that expedition afforded an opportunity of again discussing the question of a treaty of peace with Texas, and somewhat imprudently asserted that Mexico would never be able to conquer Texas except in defiance of the United States and of the law of nations. All the inhabitants of the valley of the Mississippi, he said, would march upon Texas as soon as they heard that she was invaded. Hamilton's communication contained a proposal that a treaty of peace and limitation should be entered into, on the basis of an indemnification of $5,000,000 being paid to Mexico, and $200,000 to the secret agents of the Mexican government. Santa Anna was professedly very indignant at these letters, especially that of Hamilton.[11] In no measured terms he expressed his profound disgust that a proposition should be made to him for "the sale of Texas and the acquisition of infamy." It was a miscalculation, he said, and an audacity; and the offer of $200,000 for the secret agents of the Mexican government was "an insult and infamy unworthy of a gentleman." Having thus given vent to his virtuous indignation, Santa Anna asserted that Mexico would not vary her hostile attitude until she had planted her eagle standard on the banks of the Sabine. Santa Anna had but lately emerged from his retreat, and again won his way to the chief magistracy of the nation. Hamilton's proposal afforded him a convenient weapon with which to destroy the bad impression caused by his previous conduct with regard to Texas, and deaden his countrymen's remembrance of his readiness to barter that

[11] Copy of the correspondence will be found in *Niles' Reg.*, lxii. 48–51.

province for his life. Nor did he fail to make use of it. Though Hamilton's letter was marked confidential, he caused it to be published, together with his reply, February 18, 1842.

Houston, in his letter above alluded to, says: "You appear to have seized upon the flimsy pretext of confidential communications, unknown to the officers of this government, and unknown to the world until divulged by you for the purpose of manufacturing popularity at home." He recapitulates the circumstances under which the Anglo-Americans were invited to settle in Texas, and the causes which had led them to assert their freedom. Having contrasted the enormities of Santa Anna with the clemency experienced by him at the hands of the Texan authorities, and calling attention to the desire for peace which Texas had shown, he adds: "You continue aggression; you will not accord us peace. We will have it"; and concludes with a piece of counter bombast: "Ere the banner of Mexico shall triumphantly float on the banks of the Sabine, the Texan standard of the single star, borne by the Anglo-Saxon race, shall display its bright folds in liberty's triumph on the isthmus of Darien."

On March 26th, the president issued a proclamation declaring all the Mexican ports on the eastern coast from Tabasco, including the mouth of the Rio Grande and the Brazos Santiago, to be in a state of blockade. And here it is necessary to give some account of the condition of the Texan navy and its operations.

It will be remembered that the first congress authorized[1] "the purchase of a certain number of war vessels. A contract was made, November 1838, with Frederick Dawson of Baltimore, who, in the months of June, August, and October 1839, delivered to the Texan government the schooners *San Jacinto*, *San*

[1] Nov. 18, 1836; does not seem to have been acted upon, as another one was passed Nov. 4, 1837, providing for the purchase of a 500-ton ship mounting 18 guns, two 300-ton brigs, 12 guns each, and three 150-ton schooners, 5 guns each. *Tex. Laws Rep.*, ii. 13–14.

Antonio, and *San Bernard*, each mounting 5 guns; the sloop-of-war *Austin*, 20 guns, and the brigs *Colorado* and *Dolphin*. General Hamilton also purchased for the government, in March of the same year, the steamship *Zavala*, mounting 8 guns.[13] In June 1840, this naval force, with the exception of the *Colorado*, was sent to the coast of Yucatan, which state, and that of Tabasco, had revolted against the central government. The Texan authorities were therefore desirous of ascertaining the feelings of these states toward Texas. After their visit to Yucatan, the vessels were ordered to cruise about the eastern coast of Mexico and annoy her commerce. As the Mexican navy had been destroyed by the French, the Texans at this time were masters on the sea, and Houston was justified in proclaiming the blockade. In May 1841, Yucatan proclaimed her independence, and in September sent Colonel Martin Francisco Peraza as envoy to Texas to arrange a treaty of friendship and alliance against Mexico. Arrangements were soon concluded, Texas engaging to furnish a naval squadron for the protection of the coast and commerce of Yucatan, while the latter agreed to pay its expenses in part during the time it operated against the common enemy.[14] In the autumn of that year, the greater portion of the Texan navy sailed to Yucatan. The vessels returned in May 1842, and were ordered to New Orleans and Mobile to undergo repairs, preparatory to enforcing the blockade. While in the Mississippi, a mutiny occurred on board the *San Antonio*, and several of the ringleaders were hanged at the yard-arm. In August of the same year, that vessel was sent to Yucatan to collect dues from the government of that seceded state, but was never heard of afterward. It is believed that she foundered at sea

[13] The cost of this navy was nearly $800,000, which were paid in government bonds. *Report of Sec. of the Navy*, Nov. 8, 1839; *Yoakum*, ii. 272.

[14] *Rivera, Hist. Jalapa*, iii. 440–1, 514–15; *Baqueiro, Ensayo Yuc.*, 42–5; *Yuc. Manifiesto*, 16–37; *Niles' Reg.*, lxi. 66, 131, 196.

and all hands perished. After the president had issued his proclamation of blockade, he sent instructions to Commodore Moore to sail to Galveston for orders. Moore failed to report, and Houston sent a message to congress, which having been discussed in secret session, an act was secretly passed, January 16, 1843, authorizing the sale of the navy. Moore, however, refused to deliver the vessels up to the commissioners sent to receive them, and went with the *Austin* and *Wharton*—originally named the *Dolphin*—on a cruise off the coast of Yucatan, with the consent of the commissioner, Colonel Morgan, who accompanied him. The president thereupon issued, March 23d, a proclamation declaring Moore suspended, and his future actions piratical. The naval officers of all friendly governments were requested to seize him and the two vessels, and bring them with their crews into the port of Galveston. This proclamation created a great sensation in Texas, and the press passed numerous comments on it, most of which were unfavorable to Houston and violent in language.[1] The fact is, that the popular sympathies were with the suspended commodore, who had assumed responsibilities with regard to the expenses of the navy incurred at New Orleans. Moore pledged himself not to leave that port until he could pay for provisions and repairs. When the Texan government failed to furnish him with funds, he considered that in honor he was bound not to leave until the debts were paid, and consequently disregarded repeated orders from his government to proceed to Galveston. On the arrival of the commissioners, James Morgan and William Bryan, the former was so impressed with Moore's explanation that when the government of Yucatan offered pecuniary aid on the understanding that Moore should repair to the port of Campeachy, and afford relief to the revolutionists, who were then besieged by a Mexican army, he not only consented that the commodore

[1] See *Niles' Reg.*, lxiv. 229-31.

should sail thither before going to Galveston, but also accompanied him. The operations of the Texan navy before Campeachy were crowned with success, the enemy's land batteries being destroyed, and his war-vessels damaged, and driven from that water. Moore then sailed to Galveston, whose people presently became greatly exasperated when it leaked out that congress had passed an act for the sale of the navy. Popular feeling was so strong that the sale was not attempted, and the act was repealed February 5, 1844, and authority given to the secretary of war and marine to lay the vessels up in ordinary.[16] When the annexation was effected in the following year, the remaining vessels, four in number, were transferred to the navy of the United States, and in March 1857, an appropriation was made for the pay granted the surviving officers for five years from the time of annexation, provided that all claim to any position in the United States navy was relinquished.[17]

When Vasquez occupied San Antonio, much alarm was felt for the safety of Austin and the government archives, especially the records of the general land-office. The president, to the indignation of the inhabitants of that city, removed his cabinet to Houston, where congress held the special session convened June 27, 1842. But the exasperation of the people of Austin was so great that they determined to hold possession of the archives. A vigilance committee was formed, the records were encased in boxes, and a guard placed over them. A force, moreover, was organized at Bastrop to patrol the roads, and prevent the passage of any wagons containing government archives.

[16] The navy at that time consisted of the *Austin*, the *Wharton*, *Archer*—formerly the *Colorado*—and the *San Bernard*, the other vessels having been wrecked. *Tex. Laws Rep.*, 8 cong., 115; *Niles' Reg.* lxiv., 1, 18, 51, 97, 117, 131, 146, 160–1, 192, 208–10, 229–31, 256, 260–1, 293, 320, 336, 339, 354, 384, 404; *Mex. Mem., Guerra y Mar.*, 1844, 15–16, 98; *Robinson's Mex.*, 259–61; *Thrall*, 339–40.

[17] *Cong. Globe*, 1856–7, app. 427; *U. S. Sen. Misc.*, cong. 35, sess. 1, ii. doc. 132.

On December 10, 1842, Houston gave instructions to Captain Thomas I. Smith to raise a company secretly, and bring the most necessary books and documents to Washington, where congress was to convene in regular session that month. Smith, having avoided the patrols by taking a circuitous route, entered Austin in the night of December 30th, and succeeded in loading three wagons with archive matter. This step on the part of the president was a surprise to the inhabitants of Austin, and Smith hastened back, after having been fired upon without effect by Captain Mark B. Lewis, who having rallied a volunteer company, and procured a cannon from the arsenal, fired it at the intruders. Having reached Kinney's fort, on Brushy creek, Smith encamped, but on the following morning discovered that Lewis, with his cannon pointed, had taken a position in front. After some parley, Smith agreed to take back the wagons to Austin. This affair has been called the Archive War. No further attempt was made to remove the records; the people of Austin retained possession of them till 1845, when, on the occasion of the annexation convention being summoned to meet in July, they delivered them over to the administration of Anson Jones, on condition that the convention should assemble at Austin."

During the second administration of Houston, Texas was greatly agitated by what has been called the war of the Regulators and Moderators. The first outbreak occurred in 1842. The reader will not fail to remember that in the early years of the nineteenth century the "neutral ground" became the asylum of adventurers and desperate men, who can only be classified as marauders and fugitives from justice. Although, in the course of events, these land buccaneers had been suppressed with regard to their banditti organization."

[a] *Id.*, 322-6; *Morphis, Hist. Tex.*, 435-7.
[b] See pages 16 and 20 of this volume.

their social element still prevailed on the northeastern border. As immigrants flocked into Texas, ill-feeling was developed, which culminated in hostilities. The county of Shelby was the main scene of action. The land commissioners in that county found a profitable business in issuing forged "head-right" certificates, and it became a focus for such illegal operations in the surrounding districts. The holders of such certificates were not men inclined to give up land which they had settled upon. In 1842, one, Charles W. Jackson, a fugitive from justice, arrived in Shelby county from Louisiana, and offered himself as a candidate for the Texan congress. Being defeated, he undertook to expose the land frauds, declaring that his defeat was owing to the opposition of the party connected with them. Having notified the general land-office of the illegal proceedings which had taken place, Jackson received an intimation from Joseph Goodbread that, if he did not desist from interfering, his life would be taken. Whereupon the former, while presenting his reply, shot the latter dead in the town of Shelbyville. Great excitement followed; Jackson was called to trial; the court was thronged by armed men, and the judge failed to appear. The fugitive from Louisiana now organized his party, and formed a society which assumed the name of Regulators. The operations of this society were somewhat arbitrary, and there is no doubt that many honest men lost their lands, and the prospective fruit of their industry. Opposition therefore appeared. A society which styled itself the Moderators was organized, and a kind of vendetta warfare was carried on for three years. Matters finally assumed so serious an aspect that the two factions drew up in battle-front against each other. The executive now interfered. The country was threatened with civil war, and Houston ordered General Smith to raise a militia force, and put a stop to this internecine struggle. With about 500 men, Smith marched to the scene of action, finding the opposing

forces in front of each other. By the exercise of prudence and good judgment, he induced the belligerents to lay down their arms, and submit to the laws of the republic:[30] but for some years afterward, the spirit developed by this clash of interests found expression in many a homicide.

In August, 1842, the British government declared its intention to remain neutral during the struggle of Texas for independence, and prohibited English seamen from serving in the cause of Mexico. In April of the same year, Ashbel Smith, minister to England and France, discovered that two heavily armed warships were being constructed in England for the Mexican government, the *Guadalupe* and the *Montezuma*. On representations, forcibly expressed by the Texan representative, these vessels were forbidden to leave port in an armed condition, or carrying ammunition of war. British officers, captains Cleveland and Charlewood of the English navy, had been appointed to command them, and the vessels were principally manned by British seamen. With some tardiness the British government yielded to the energetic remonstrances of Ashbel Smith,[31] caused the vessels to discharge their recruits and armament, and notified the above-mentioned captains that if they took part in operations against Texas their names would be stricken from the rolls of her Majesty's service. The *Montezuma* and *Guadalupe* sailed to the Mexican coast, and were roughly handled by Commodore Moore off the shore of Yucatan.

[30] Further particulars of this war of the Regulators and Moderators will be found in *Yoakum*, ii. 437–40, where notice will be found of Moorman killing Bradley at the church door of San Augustine at the close of divine service, in the summer of 1844. During the hostilities at this time, about 50 persons were killed or wounded. Moorman was killed by Burns two or three years afterward as he was crossing the Sabine. *Id.*, *Defensor Integ. Nac.*, Oct. 23, 1844, 3; *Todd's Sketch*, MS.

[31] By act 59, George III., discretionary powers were conferred on the privy council relative to British naval officers entering the service of a foreign power. For general particulars consult *Smith, Rem. Tex. Rep.*, 34–5, 39–40; *Hansard's Parl. Record*, lxv. 964–5.

President Houston, in his message to congress in June 1842, did not take the responsibility of advising an invasion of Mexico. Though he did not believe that any formidable invasion would ever be accomplished by Mexico, he felt convinced that every impediment would be interposed to the peace and prosperity of the frontiers, and urged congress to adopt measures for their protection. Congress, however, passed a bill authorizing an offensive war against Mexico. As the carrying out of such a measure would require at least 5,000 troops, and it was impossible to devise means for the payment of so large a body, the president vetoed the bill,—a proceeding which brought out strong feeling against him. Early in July General Davis on the Nueces was attacked by Canales with 700 men, 500 of whom were cavalry. The former, however, repulsed the enemy, though he had only 192 volunteers. Two months later General Woll took possession of San Antonio, September 11th, after some resistance on the part of the Anglo-Texan citizens. After some parley the Texans, fifty-two in number, surrendered on condition that they should be treated with all the consideration of prisoners of war. Woll's force was nearly 1,000 men, twelve of whom were killed and twenty-nine wounded. The Texans sustained no casualties whatever.[22]

When it became known in Gonzalez that Béjar was again occupied by the Mexicans, a force of about 220 men, under Colonel Mathew Caldwell assembled in the Salado bottom, about six miles east of the town. A good position was taken up in a thick wood, and Captain John C. Hayes sent forward with his mounted company to draw out the enemy. The ruse was successful, a strong body of cavalry advanced upon

[22] *Green's Journal*, 29–30. Woll in his report says, that his loss was one killed and 20 wounded, that of the Texans 12 killed, 3 wounded, and 52 prisoners. *Expedic. hecha en Téjas*, 15, 35; also 20–1, where a list of the names of the prisoners will be found, and among them those of the district judge, of lawyers, physicians, surgeons, and other civilians. According to Woll a number of combatants escaped.

Hayes who retreated toward the main body. Woll presently came up with the remainder of his forces and maintained a fight for about an hour, losing many men in killed and wounded. Meantime a company of 33 Texans, from Fayette county under command of Nicolas Dawson, hastened to the assistance of Caldwell, and being perceived by the enemy on their approach, were presently surrounded. The enemy, however, kept well out of range, and bringing up a light field-piece poured showers of grape upon the exposed Texans. In a short time two thirds of them had fallen, and nearly all of their horses were killed. Dawson now hoisted a white flag, but several of his men continued to fire and were put to death. By the exertions of the Mexican officers the lives of fifteen were spared; five of these prisoners were wounded.

Two men only made their escape. After this affair, which took place September 18th, Woll returned to San Antonio having lost, according to his own statement, 29 killed and 58 wounded.[illegible] He took with him 67 prisoners who, as usual, were sent on foot to the city of Mexico. On the 20th he departed for the Rio Grande, while Caldwell, whose force was now over 500 men, followed close upon his heels, and on one occasion engaged in a skirmish with his rear guard. For some reason that is not clear the Texans failed to attack,[illegible] and after a pursuit of thirty or forty miles returned.

When the news of this second invasion became known the demon of war was aroused, Houston having issued a proclamation, September 16th, calling for

[illegible] Among the killed was Vicente Córdova, the Mexican agent at Nacogdoches.

[illegible] General Thomas Green says: 'Much has been said against Caldwell and others for not so doing, and the blame has been charged upon several;' but he regarded it a mischance in war rather than the want of bravery. *Journal*, 35. Besides the authorities on Woll's campaign already quoted, see *Pap. Var.*, 162, no. 4; Joseph C. Robinson's account in *Tex. Alm.*, 1868, 43-8; *La Minerva*, May 15, 1845, 3; *Bocanegra, Hist. Jalapa*, iii. 539-41; *Bustamante, Hist. S. Anna*, 83-4; *Diario del Gob.*, June 1, 1842, and Feb. 8 and 9, 1843, in *Id.*, *Diario Mex.*, MS., xlv. 53, xlvi. 77, 87; *Niles' Reg.*, lxiii. 177-8, 338; *Domenech, Hist. Mex.*, ii. 177-8; *Yoakum*, ii. 363-6.

volunteers to cross the Rio Grande, and assigning Béjar as the place of rendezvous, a considerable number of troops was soon in motion toward that place. General Somerville had been sent by Houston, from Matagorda, to take command, an appointment which did not meet with the favor of the militia men drafted, who wished to be led by General Burleson. On arriving at Columbus, on the Colorado, Somerville found between 200 and 300 men collected. When he learned that Burleson had been sent for, and was expected to arrive presently, he forthwith disbanded the men and returned to Matagorda. Nevertheless, on October 13th, a special order was issued to General Somerville, instructing him to organize and drill such volunteers as would be obedient to orders, and to establish his camp some distance from Béjar. On his arrival there, he found about 1,200 militia men and volunteers encamped in the vicinity at six or eight different points, at distances varying from one to ten miles. Much discontent soon manifested itself, owing to want of provisions, ammunition, and clothing, and disorder was occasioned by the insubordinate tendencies of some persons and the aspirations of others to the chief command. Somerville's indifference, moreover, and want of interest in the campaign, caused much murmuring, and gave encouragement to these ambitious malecontents. The result was that a large number of the volunteers returned home. On November 18th, however, Somerville, with 750 men, commenced his march to the Rio Grande and reached Laredo on the Texan side of the river, December 8th.

That Somerville had no control over his troops is apparent. But it must be borne in mind that the men under him were bent on invading Mexico, a movement contrary both to the executive's secret wishes who saw reasons to change his previous views,[25]

[25] Somerville's instructions were: 'When the force shall have assembled, if their strength and condition will warrant a movement upon the enemy, it is desirable that it should be executed with promptness and efficiency.'

and to the inclinations of Somerville. On the day after entering Laredo, which was evacuated on the approach of the Texans, Somerville moved down the river instead of crossing as was expected by the troops. This movement was regarded as an indication on his part to return home. About 300 men marched to Laredo and plundered the town; but the spoils, for the most part, were restored to the owners. On the 10th a council of war was held, the general addressed the troops with regard to the question of crossing the Rio Grande or returning home, stating his readiness to lead them if it was still their desire to pursue the enemy. About 200 voted to return, and were permitted to do so.

The Texan force was still some 550 strong, but Somerville's generalship disgusted the men. He caused them to march through thick chaparral down the left side of the Rio Grande, and arriving opposite Guerrero, December 14th, crossed the river on that, and the following day, and made a requisition on the town. This was very indifferently complied with, and Somerville, instead of enforcing it, recrossed the river, the passage being greatly facilitated by the use of six large flat-boats found near Guerrero. This retrograde movement increased the contempt for the general, now openly expressed. On December 19th he issued an order of march, to the effect that the army would proceed to Gonzalez, and there be disbanded; whereupon captains Cameron, Eastland, Reese, Pierson, Ryan, and Buster, supported by their companies, refused obedience, declaring it their intention to march down the river and accomplish something that would redeem the expedition from contempt. Somerville, with about 200 men, mostly drafted militia, returned to Béjar, leaving 300 vol-

M. C. Hamilton, Sec. of War, to A. Somerville, Oct. 15, 1842; *Yoakum*, ii. 367–8. Green asserts that the president never intended to punish the enemy, and therefore, maintained Somerville in command, knowing that if Burleson was appointed according to the wish of the army, an invasion of Mexico would follow. *Journal*, 46.

unteers to operate against Mexico as they pleased.[26]

On the departure of Somerville, Colonel William S. Fisher was elected commander, and it being decided to descend the river to Mier, a portion of the force was embarked with baggage and provisions, on board the flat-boats, which were placed under the direction of General Green.[27] The flotilla and land force proceeded in company until December 21st, when the troops encamped together on the left bank of the Rio Grande, about seven miles above Mier. On the following morning, a council of war being held, it was decided to march into the city, and make a requisition on it for supplies. A sufficient number of men having been detailed for a camp-guard, Fisher, with the main body, crossed over, entered the town, and made the requisition, the alcalde promising to deliver the stores demanded on the next day at the river. Fisher then returned to camp, taking with him the alcalde as security. On the 23d the army was moved down stream to a point opposite the town, where the supplies were to be sent. Nothing transpired till the 25th. The requisition had not been filled, nor had any intelligence of the approach of the enemy been brought in by the scouts. But on that day a Mexican was captured, who gave the information that General Ampudia, and the former federal leader, Colonel Canales had entered the town with 700 men, pre-

[26] *Id.*, 41–69; *Stapp's Prisoners of Perote*, 22–30. Both this author and Gen. Thomas J. Green accompanied the expedition, and were fellow-prisoners at Perote. They published their narratives from journals kept by themselves. Alexander Somerville was a native of Maryland, and migrated to Texas in 1833, where he followed his business as a merchant at San Felipe. In 1835 he participated in the operations around San Antonio, and on the reorganization of the army, early in 1836, was made lieutenant-colonel. After the battle of San Jacinto, in which he took part, he became senator in the Texan congress in 1836–7. After his return from the ill-conducted expedition to the Rio Grande, he was made collector of customs at Saluria. Somerville was accidentally drowned in 1854. *Yoakum*, ii. 368; *Thrall*, 622. Both of these authors write 'Somervell.'

[27] The author of the *Journal of the Texan Expedition against Mier*, ... New York, 1845, 8vo. pp. 487. Green was an opponent of Houston's, and in his *Reply to the Speech of General Sam Houston in the Senate of the United States*, Aug. 1, 1854, makes use of a style of vituperation which could only have been enjoyed by Houston's bitterest enemies.

vented the performance of the alcalde's promise, and taken up a position on the river two miles below. The Texans decided to cross the river and engage the Mexicans, Captain Baker with his spy company being sent in advance. Ampudia, however, on the approach of the army retreated into the town.

The Texans now marched in the direction of the city, and at 7 o'clock in the evening, took up a posi-

ROUTES OF ARMIES.

tion on the left bank of the Alcantro,[25] a small stream flowing into the Rio Grande, after describing a semicircle round the northern portion of the town. The night set in very dark. At the lower ford the Mexican cavalry was stationed, and a constant fire was kept upon them by Baker's company, distracting attention while Green succeeded in discovering a crossing some little distance above. Having crossed with some difficulty—the bluff being about forty feet above the water's edge, and very steep—the Texans having fired into a picket, advanced into a street leading to the principal square and protected by a cannon. From this thoroughfare they turned to the right and took possession of some stone houses, where they main-

[25] Called by Ampudia, in his report, the Álamo. *Diario del Gob. Mex.*, Jan. 19, 1843.

tained themselves till morning. Thus lodged, the Texans ceased their fire, husbanding their ammunition for the coming conflict. The Mexicans kept up a continuous but useless fire for the rest of the night.

When morning dawned the artillery of the enemy was soon silenced by the rifles of the Texans, and the Mexicans had recourse to the house-tops, from which they poured down volleys of musketry at the windows and loopholes of the buildings occupied by the Texans. But while the fire of the former had little effect, that of the unerring Texan marksmen was deadly. Several times the enemy charged the invaders, but was repulsed with slaughter. Thus the contest was carried on till noon.

Captain Berry on the previous evening had fallen down a precipice and broken his thigh. He was removed to a hut some little distance from the place of his accident, and Doctor Sinnickson and a guard of seven men were detailed to attend upon him. About this time the men with Berry attacked and routed a troop of the enemy's cavalry, and were presently surrounded by a strong body of horsemen. In attempting to fight their way through, two Texans only succeeded in joining their comrades engaged in the town; three were made prisoners, and three killed; while Captain Berry was killed in his bed. Captain Cameron had lost three men killed and seven wounded, and some little confusion for the first time showed itself in the Texan command. It was soon, however, suppressed; and the men were well prepared to resist another charge momentarily expected, when a flag of truce arrived from the enemy's line borne by Sinnickson,—one of the captives just taken by the Mexican cavalry,—who was unaware of the heavy losses sustained by the Mexicans, and the shattered condition of the force.

Yes, the Mexican commander had recourse to the old ruse of the white flag; and again the Texans were hoodwinked by their crafty and treacherous foe.

Sinnickson[19] was directed to state to Fisher that the Mexican regular force in the city was 1700 strong, and that a reënforcement of 800 more troops was hourly expected from Monterey. Ampudia, therefore, in the cause of humanity, offered the Texans an honorable surrender, promising them that they should be treated as prisoners of war, and should not be sent to Mexico. An hour was allowed them to choose between capitulation and death. Much discussion followed the arrival of the flag.[20] Most of the men were not disposed to become dupes, and wished to hold their position till night and then retreat; but still there were many, who in view of the supposed superior numbers of the enemy, the diminished supply of their own ammunition, and the apparent hopelessness of retreat, were willing to surrender. Among the latter was Fisher, who believed that a retreat would involve the loss of two-thirds of the force. Addressing the troops, he recommended them to accept the terms offered. One half of the force thereupon marched into the square and delivered up their arms, followed by the rest, furious with indignation.

In this engagement the aggregate force of the Texans was 261 men, 42 having been left on the east bank of the Rio Grande as camp-guard. These latter returned home in safety. The loss of the invaders was 16 killed or mortally wounded, 17 severely, and several slightly wounded.[21] The number of Mexicans engaged was over 2,000;[22] what their loss was can

[19] Sinnickson's part has been severely condemned. See *Stapp, Prisoners of Perote*, 101–2.

[20] Ampudia states in his official report, that the Texans sent in the flag of truce, and that he dictated his terms to them. *Diario del Gob. Mex.*, Jan. 19, 1843. The fact is he was preparing to retreat in case the white flag was not received.

[21] List of those engaged at Mier, who were killed and mortally wounded will be found in *Green, et sup.*, 437–43. In Ampudia's official report, as above quoted, a list of the prisoners, 248 in number, and their avocations in Texas will also be found. The Mexican general states that the Texans had 38 killed, and 56 wounded.

[22] The army was composed of the battalion of sapadores; a company of regular artillery; several companies of the 7th infantry; several companies of the Yucatan infantry; the 3d cavalry regiment, and some companies of citizen defenders—'defensores.'

only be conjectured; but it was probably about 600 in killed and wounded.[33]

After their surrender the Texans were closely confined in crowded and filthy apartments till December 31st, when Ampudia, leaving behind the more seriously wounded of the Texans, took up his march to Matamoros, where he arrived with his footsore prisoners to the number of 235, January 9, 1843. The unfortunate captives, who already realized the mistake that had been made in relying upon Mexican veracity, were started on the 14th, under a strong cavalry guard, on their journey to Mexico. Their hardships and privations on the road were similar to those suffered by the Santa Fé prisoners, but at the large towns, especially at Monterey, they received kind treatment. Moreover Colonel Barragan, an accomplished and humane officer, took command of their escort at this city. But the deception that had been practised upon them added gall to the bitterness of captivity, and they determined to strike for freedom. Preparations were made to charge the guard at the hacienda of Rinconada, but the plan was frustrated by the vigilance of the commanding officer, who suspected the plot. Having passed Saltillo and reached the hacienda del Salado, forty leagues beyond, on the evening of the 10th, it was determined no longer to defer making the attempt to escape. The prisoners having matured their plans, Captain Cameron was appointed to give the signal next morning.

Between daylight and sunrise their breakfast was

[33] Green, page 108, says between 700 and 800 killed and wounded. Stapp, *ut sup.*, 37, considered that upward of 600 were slain, and that the number of wounded was unknown. But he places the Mexican army at the high number of over 3,200. Ampudia reported his loss to be 33 killed and 65 wounded; and that 22,000 musket cartridges had been expended in the battle, besides 900 double-shotted ones, and a quantity of artillery ammunition. These figures do not agree with Green's statement on page 109. He says, according to the official report to the war department, 900 cannon cartridges, 43,000 musket cartridges, and 300 rockets were expended. Mexican accounts of the Mier expedition will be found in *El Siglo XIX.*, Jan. 11, 1843; *Bustamante, Hist. Santa Anna*, 110–12; *Rivera, Hist. Jalapa*, iii. 571–2.

dealt out to the captives, who were confined in a large corral surrounded by high walls. The cavalry were picketed outside, and the infantry occupied a quadrangular stone court and the buildings connected with it. A large doorway opened from the court into the corral. Cameron carelessly lounged up to the doorway, the eyes of all his fellow-prisoners intensely fixed upon him. Suddenly, shouting out the signal cry, he seized one of the sentinels and disarmed him. S. H. Walker dealt similarly with the other. The Texans rushed like unleashed hounds into the court, and seizing the muskets stacked against the walls drove out the infantry after a few shots. But while arming themselves a company of infantry and some cavalrymen rallied outside, and prepared to receive them. There could be no hesitation now. Doctor Brenham and Patrick Lyons[34] leading the way, the Texans rushed through the gateway. Brenham and Lyons immediately fell, and several others were wounded. But the Mexicans had too much dread of Texans with firearms in their hands, and fled after a feeble resistance. The loss of the victors was five killed and five wounded;[35] that of the Mexicans probably not many more. By this bold charge, so suddenly and successfully executed, the Texans obtained possession of 160 muskets and carbines, a dozen swords and pistols, three mule loads of ammunition, and nearly 100 mules and horses.

To the number of 193,[36] the fugitives, at 10 o'clock A. M., started for home. Leaving Saltillo on their right, they struck the road to Monclova, about thirty-five miles north of the former place. Thus far, all

[34] 'Both released Santa Fé prisoners.' *Sleppy, ut sup.*, 58. Brenham was one of the foremost to counsel a charge upon the guard. *Id.*, 56.

[35] The names of the killed were Brenham, Lyons, Rice, Capt. Fitzgerald, and John Hagerty; of the wounded Captain Baker, and privates Hancock, Harvey, Sansbury, and Trahorn. *Id.*, 59.

[36] The wounded were left behind with about 20 others, who refused to accompany them. *Sleppy*, 59. Col Fisher and Gen. Green, with some others, had been alarmed in advance that morning before the charge was made, and could not take part in it.

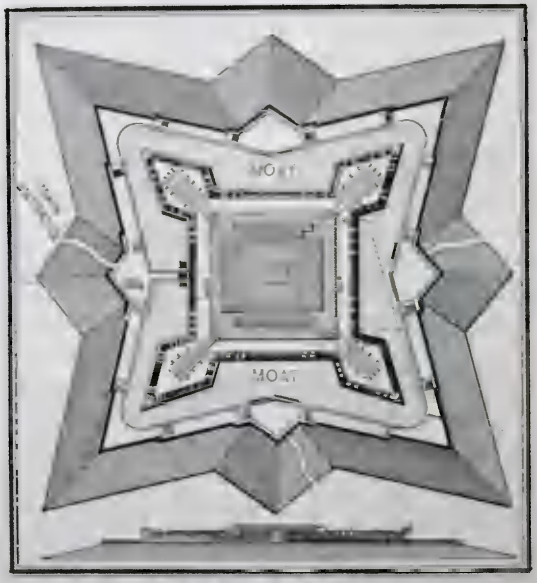
had gone well; but on February 14th, Cameron, who had been chosen commander, was induced by the obstinacy of the more timid of the party to abandon the road and take refuge in the mountains. This was contrary to the urgent advice of a European friend, who had met them on the way, and assured them that if they kept on the road to Monclova, no detachment could immediately be sent in pursuit large enough to recapture them. The step taken was fatal; they entered a barren and waterless mountain region. Haggard with hunger, crazy with thirst, having killed some of their animals for food, and abandoned the rest, they wandered on till the 18th, when the main body, scattered and exhausted, surrendered, without show of resistance, to a body of cavalrymen. Cameron, with about fifty of the stronger men, had preceded the rest, and been already recaptured. During the following days, stragglers were continually brought in, till the number of prisoners retaken amounted to 182.[37] On March 25th, the forlorn captives, heavily fettered, reëntered the hacienda del Salado, the scene of their former desperate achievement. Here they were presently informed that orders had been received from Santa Anna to decimate them. No time was lost. The same evening 159 white beans and 17 black ones[38] were placed in an earthern crock, and the prisoners made to draw one consecutively, a black bean signifying death. Cameron was made to draw first, but escaped the fate it was hoped would fall upon him. Three fourths of the beans were drawn before the urn yielded up the last fatal lot; then the irons were struck off the victims, and at sunset they were led forth to die. Seated upon a log near the eastern wall, they were blindfolded, and fired upon till they ceased to breathe.[39]

[37] According to *Green*, 165–8. The same author states that 5 men died in the mountains; 5 were left there, and were supposed to have perished; and 4 effected their escape to Texas. *Id.*, 444, 446. There is therefore a discrepancy of *three* between the original number 193 and the latter figures given by this writer.

[38] Representing 176 prisoners, the sick having been left on the road. Stapp says the number was 174.

[39] Their names were: John S. Cash, James D. Cocke, Major Robert Dun-

The survivors were marched to the city of Mexico, several dying on the way. At Huehuetoca, about six leagues from the capital, Captain Cameron, who had escaped the death-lottery of March 25th, was executed, April 25th, by order of Santa Anna. The remainder of the prisoners were put to work at road-making. In September, the greater portion of them were sent to the fortress of Perote, where they found



FORTRESS OF PEROTE.

most of the Béjar prisoners. General Green, Colonel Fisher, and some others had been sent direct to this stronghold, and on July 2d, Green and seven other captives effected their escape, having tunnelled through the foundations of the fortress. Through the inter-

pass, Captain William M. Eastland, Edward E. Este, Robert Harris, Thomas L. Jones, Patrick Mahan, James Ogden, Charles M. Roberts, William Rowan, James L. Shepherd, J. M. N. Thompson, James N. Torrey, James Turnbull, Henry Wisling, M. C. Wing. Shepherd being struck in the face at the first fire, the ball inflicting only a bad flesh-wound, fell forward and feigned death. When night came on, he crawled away to the mountains, but compelled by hunger, after wandering for several weeks, surrendered himself, was taken to Saltillo, recognized, and shot in the public square. *Id.*, 74; *Thrall*, 331.

cession of General Waddy Thompson, the last of the Béjar prisoners, to the number of thirty-eight, were released in March 1844.[40]

On the subject of the release of the Mier prisoners, much correspondence was carried on between the governments of Texas and those of the United States and Great Britain, through their representatives. The expedition under Fisher was conducted without the sanction of the Texan government, and in direct defiance of General Somerville's order to march home. By the United States and Great Britain it was regarded as a marauding incursion, and those powers remonstrated with Texas, when it sought their interposition in behalf of the prisoners. The defence of the Texan government, however, was based on reasonable grounds. Admitting, said the executive, that they went without orders, and were thereby placed beyond the protection of the rules of war, yet the Mexican officers, by proposing terms of capitulation to the men, relieved them from the responsibility which they had incurred.[41]

[40] *Thompson, Recol. Mex.*, 77–9. Particulars as to the fates of the 67 Béjar prisoners are supplied by Green, pp. 447–8.

Number of those who escaped July 2, 1843	5
Released by Santa-Robinson, his commissioner	1
Released through the intercession of U. S. minister	3
Released through the intercession of Gen. Jackson	1
Killed at Salado	2
Died in prison in Mexico	8
Escaped from Mexico	3
Released from Perote	38
Number of prisoners of whom there is no knowledge, but who are presumed to have perished	6
Total	67

[41] On this subject, see *Yoakum*, ii. 395–8. The opposition papers of the time charged the president with endeavoring to prejudice Santa Anna against the prisoners by admitting that the movement across the Rio Grande had been made on their own responsibility. On Jan. 10, 1846, Gen. Green published an address to the people of Texas in which he holds Houston responsible for the decimation of the Mier prisoners March 25, 1843, on the ground that he begged the mercy of the Mexican government for them, 'though they had entered Mexico contrary to law and authority.' Copy will be found in Green's *Reply, ut sup.*, 29–36 et seq. Green, in his *Journal of the Texan Expedition against Mier*, expressed himself very bitterly against Houston, and brought forward charges against him which the latter considered so serious that he denounced them, Aug. 1, 1854, as calumnies before the U. S. senate, of which he was then member from Texas. Houston dealt equally severely

Meantime the captives were kept in confinement, and most of them made to do servile labor. From time to time a few escaped; eleven were released through the intercession of the United States and British ministers, and no small number of them died under their privations. Finally the remainder, 107 in number, were liberated by Santa Anna, September 16, 1844, in commemoration of Mexico's national day."

Both the Santa Fé and Mier expeditions prove that Texas was in no condition to carry on an offensive war against Mexico.

with Green, and considered that his book should receive the attention of the chairman of the committee of the library of congress, and be condemned. Houston's speech elicited a reply from Green, who in scathing terms assailed his opponent. *Cong. Globe*, 1854, app. 1214–18; *Id.*, 1855, 742; *Green's Reply to Houston*, Feb. 15, 1855, p. 67.

" *Diario Infor. Sup.*, Sept. 25, Oct. 5, 1844; the names of the released prisoners being given. Three of them were released from the Santiago prison in the capital, and the remaining 104 from Perote. *Rivera, Hist. Coahuila*, iii. 653. From Green's Journal I gather the following particulars relative to the Mier prisoners.

Number Texans who fought at Mier		261
Number of killed in battle	10	
Number of men who died of wounds	6	
Number of men who escaped from Mier	2	18
Number of prisoners		243
Killed at Salado, Feb. 11, 1843	5	
Texans shot at Salado, March 25, 1843	17	
Captain Cameron, shot Apr. 25, 1843	1	
Texans who died in the mountains	5	
Texans left in the mountains	5	
Texans who escaped from the mountains	4	
Texans left wounded at Mier and who escaped	8	
Texans who died in Mexico (1843)	35	
Released through intercession of U. S. min.	7	
Released through intercession of H. B. M.'s min.	4	
Released by Santa Anna voluntarily	3	
Escaped from the city of Mexico	9	
Escaped from Perote, July 2, 1843	3	
Escaped from Perote, March 25, 1844	2	115
Number of captives remaining		128
Released in September 1844		107
		21

Orlando Phelps was released by Santa Anna on the arrival of the prisoners at the capital—*Thompson's Recollec. Mex.*, 75–6—and W. P. Stapp—author of *The Prisoners of Perote*, Philadelphia, 1845, p. 164—was liberated May 16, 1844, and five other captives a few weeks previous to the final release. *Green*, 477. Thus 14 prisoners are unaccounted for, it being presumable that they may be added to Green's list of those who died of sickness and privations during their incarceration.

One more unsuccessful expedition has to be recorded. In 1842 information was received in Texas that a richly laden Mexican caravan would start on its return to Santa Fé from Missouri in the spring of 1843. On application to the government, Colonel Jacob Snively was authorized to organize a force for the purpose of intercepting it, as it crossed territory claimed by Texas, south of the Arkansas river, and through which the Santa Fé trail ran. At the end of May, Snively, with about 180 men, reached the Arkansas and encamped on the right bank, 25 miles below the point where the caravan route crossed the river. Here they learned, through their scouts, that a Mexican force of 500 or 600 men was in the neighborhood waiting to escort the caravan when it arrived. On June 17th the Texans received news of its approach, and moreover, that it was guarded by 200 U. S. dragoons under Captain Philip St George Cooke. On the 20th they fell in with a large advance party of the Mexican force; an encounter ensued, seventeen of the enemy were slain, and eighty taken prisoners, the Texans obtaining a good supply of provisions and horses. After this feat, dissension divided the command into two parties, one of which, about seventy in number, abandoned the enterprise and elected Captain Chandler as their leader to conduct them home. Snively's camp was discovered by Cooke, June 30th, who thereupon sent for the Texan leader and informed him that he was on United States territory. Snively protested; Cooke refused to listen to any explanation, crossed the river with his dragoons, and compelled the Texans to give up their arms. Snively's party numbered only 107 men, and Cooke had brought two pieces of artillery to bear upon them. The United States' officer allowed them to retain ten muskets for self-protection! They were 600 miles away from home, with Mexicans on one side and hostile Indians on the other. Fortunately Chandler's party was still not far off and had escaped

the observation of Cooke, who offered to escort to Independence, Missouri, as many of Snively's men as might choose to go thither. About 50 Texans accepted the invitation; the rest united with Chandler's command. Some attempt was still made to go after the caravan, but the adventurers, fearing they would be overpowered, abandoned the project, and turned their steps homeward. After two encounters with Indians, in which four of their number were killed, the Texans reached Bird's Fort, on the Trinity, August 6th, and there disbanded.[49]

One of the Béjar prisoners confined in the fortress of Perote was J. W. Robinson, lieutenant-governor of Texas in 1835. Probably with no other intention than that of gaining his liberty, he addressed, January 9, 1843, a letter to Santa Anna, then in retirement at Manga de Clavo, stating that he believed, if a personal interview were granted him, that he could furnish Santa Anna with important information, and lay before him a plan for the reunion of Texas with Mexico, the details of which it would be impossible to explain by letter. He proceeded to state that the Texans were anxious for peace, but its establishment could not be effected without first entering into an armistice; that if this were done great benefits would result to Mexico. The Texan people, he said, discontented with the administration of Houston, would become disposed to a reunion, and he did not hesitate to assure his excellency that Texas would agree to reunion under the following nine conditions: that there should be an amnesty for the past; that

[49] Yoakum, ii. 393-405; *Thrall*, 332-6. Both these authors consulted various manuscripts, written by persons who accompanied the expedition, among which may be mentioned, S. *A. Miller's Journal*, and the account by Colonel *Mark F. Young*, of San Antonio. The U. S. afterward recognized that the Texans were not on U. S. soil, and finally paid $18.50 for each firearm taken. When Gen. Houston was senator in the congress at Washington he declared that the expedition was unauthorized, but Yoakum quotes from the letter of instructions from the sec. of war, and Young—according to Thrall—states that he saw one signed Sam Houston.

Texas should recognize the sovereignty of Mexico; that Texas should have a separate government; should defend herself against hostile Indians, and assist Mexico in reducing them to obedience; should send representatives to the Mexican congress; would pay her contingent of Mexico's national debt; contribute her quota toward the expenses of the general government; in cases of litigation Texas should have the right of appeal to the supreme court of Mexico; and that Mexicans who had taken part in the Texan revolution should not lose their rights.

This precious communication was sent by Santa Anna to José Maria Tornel, the minister of war, requesting him to lay it before the substitute president, Nicolás Bravo; if that functuary gave his approval, Santa Anna would grant Robinson an interview. Bravo did approve, and the government authorized the retired dictator to negotiate with Robinson as he might think proper. The result was that the Béjar prisoner was released, appointed commissioner by Santa Anna, and despatched, without loss of time, with instructions to propose, on the part of Mexico, the reincorporation of Texas, on the basis appended in the note below.[44]

Of course the proposition was not entertained for a moment; in fact it was scoffed at by the people. But all the world might laugh while Robinson had the satisfaction of having gained his liberty.

In the meantime the Texan government had applied

[44] Mexico, desirous of terminating the war, offered to grant an unrestricted amnesty to all whom it might concern; the security of person and property would be guaranteed; the inhabitants of Texas should lay down their arms, and acknowledge the sovereignty, laws, rules, and orders of Mexico, without the slightest modification; this fundamental basis being admitted, Texas might appoint her functionaries and authorities, military and political, in accordance with the constitution; Mexican troops should not be sent into Texas while Texas should provide for her own security on the frontiers; with regard to the legislative power, laws considered proper for the good government of Texas, might be proposed to the general congress for approval; and lastly Texas should conform in all other matters to regulations that might be established for the other departments of the republic. *El Siglo XIX*, July 12, 1843, in which the whole official correspondence on this matter is published.

to the three powers, the United States, Great Britain, and France, invoking their joint interposition, to put an end to the war.[*]

The British government, however, while signifying its readiness to mediate alone, declined to act jointly with the United States, believing that the relations between the latter power and Mexico, were such as would not tend to advance the object aimed at by the proposed representation. But Great Britain, none the less, proffered her good services to Mexico singly.[†] That a more narrow than usual self-interest guided England's policy with regard to Texas cannot be denied. She would gladly have seen the young nation's independent sovereignty acknowledged by Mexico, and lastingly maintained; and was correspondingly unwilling to witness the aggrandizement of the United States by the annexation of Texas. When, therefore, the annexation question was again agitated in the cabinet at Washington early in 1843,[‡] Percy Doyle, the British representative at Mexico, mediated so successfully that Santa Anna, secretly disposed to treat, agreed to an armistice. Doyle was authorized to inform President Houston, through Charles Elliot, British chargé d'affairs to Texas, that he would give immediate orders for the cessation of hostilities, and would be ready to receive commissioners from Texas, to treat on the terms of peace proposed by him. Doyle's courier was taken by the British sloop-of-war *Sylla*, to Galveston, arriving there June 9th. Houston accepted the proposal, and on the 15th of the same month issued a proclamation, ordering a cessation of hostilities pending negotiations for peace between the two countries.[§]

[*] Copy of Houston's address to the Great Powers, dated Oct. 15, 1842, is published in *Lester's Houston and his Reps.*, 163-7.

[†] *Smith's Rem. Tex. Rep.*, 44.

[‡] Tyler and his cabinet were favorable to annexation. On Feb. 10, 1843, Van Zandt, the Texan chargé d'affairs at Washington, was informed by his government that he was authorized to intimate to the U. S. gov't, if the matter were brought up, that in case any advance were made on its part, Texas would renew the proposal for annexation. *Yoakum*, 497

[§] Copy in *Niles' Reg.*, lxiv., 387.

Negotiations were conducted slowly. Texas was in no haste in the matter. The longer the interval of peace, the better would it be for her interests in every point of view. Communications were interchanged through the medium of the British representatives in the two countries, relative to various matters preliminary to the appointment of commissioners, such as the question of the reciprocal release of prisoners—the Mexican government complaining that all the prisoners captured at San Jacinto had not been liberated—the recalling of the forces under Snively, and the killing of Mexicans lately on the south-western border. All these matters were successively settled by Houston, who stated that all San Jacinto prisoners had been set at liberty in 1837, that Snively had been recalled, and that the Mexicans killed on the borders were banditti, who assumed either nationality as suited their marauding purposes.

On September 26th, George W. Hockley and Samuel M. Williams were appointed the commissioners on the part of Texas, to meet those of General Woll, who had been authorized by Santa Anna to treat with Texas concerning the terms of the armistice. The appointees of Woll were Señores Landeras and Jaunequi. The instructions given to Hockley and Williams indicate the desire of the Texan government to gain time. They were to endeavor to establish a general armistice pending negotiations for a permanent peace, and for such further period as they could agree upon, requiring due notice to be given by either party disposed to resume hostilities, through the minister of Great Britain, near the corresponding government, six months previous to any act of hostility. They were also to agree that Texas should appoint commissioners, clothed with full powers, to meet at the capital of Mexico, to negotiate for the adjustment of difficulties and the establishment of a permanent peace.

The United States and Great Britain were watch-

ing each other's action as bearing upon the future of the young republic, with jealous eyes; and now the government of the former nation showed its intention no longer to look quietly on. President Tyler's views with regard to annexation were no secret, nor was it a matter of doubt that the question would be brought before the house when congress met in December 1843. The Mexican government, accordingly, in August of that year, declared that the passage of any act by the congress at Washington to incorporate Texas with the United States would be considered equivalent to a declaration of war.[49] Tyler, in his message to congress December 5, 1843, regarded this threat on the part of Mexico as extraordinary, and after remarking that since the battle of San Jacinto the war had consisted for the most part of predatory incursions, stated that the United States had an immediate interest in seeing that an end be put to the state of hostilities existing between Mexico and Texas; that such a system of warfare, by weakening both powers, rendered them subjects of interference on the part of more powerful nations; that the United States could not be expected to permit such interference to their own disadvantage, and that the government was bound, by every consideration of interest and sympathy, to see that Texas should be left free to act, unawed by force, and unrestrained by the policy of other countries.

The language is plain, and the intention evident. Mexico was not to wage war with Texas, nor were European powers to interfere by mediation in the adjustment of the difficulties between the two nations, or endeavor to establish peace between them. While the preliminary negotiations for the armistice were going on, England invited France to join her in the mediation, and these powers did not fail to comment severely upon the ill-advised remarks of President

[49] *Bocanegra to Waddy Thompson*, in *U. S. H. R. Doc.*, 28 cong., 1 sess., no. 2, 26–7. See correspondence on the subject in *Id.*, 27–30, 35, 38–9, 41–8.

Tyler, made at a time when a cessation of hostilities had actually occurred, and without considering in any degree what might be the wishes of the people of Texas or the decision of her government on matters touching her own welfare. But the United States were greatly agitated by the idea that a blow was being aimed by England, through Texas, at one of their own institutions. It was believed by the entire mass of the southern people, and a large portion of the inhabitants of the northern states, that a plan was being formed in Great Britain to abolish slavery in the south.[50] Opposed as were the people of the north to slavery, they were not going to tolerate the interference of a foreign power in the settlement of the nation's domestic concerns. Texas was, therefore, no longer to be regarded unfavorably by them, as had hitherto been the case, and a tolerably strong party, friendly to annexation, sprung up among them. As for Mexico, when she became aware of the steps which were being taken in the United States and Texas to procure the incorporation of the latter, her indignation knew no bounds.

Meantime the peace commissioners met at Salinas[51]

[50] It was considered in the U. S. that the leading motive of England in taking such an active interest in the affairs of Texas was her design to effect the abolition of slavery in that country. Yoakum takes this view, and goes so far as to state that 'Mr Doyle, the British chargé d'affaires, had been instructed to propose to Mexico a settlement of her difficulties with Texas, based upon the abolition of slavery in the latter.' This is untrue; and Ashbel Smith, Texan minister in London at the time, takes the trouble to correct this 'grave error' as he calls it. 'Mr Doyle,' says he, 'was not so instructed; he was not instructed at all on these matters.' *Rem. Tex. Rep.*, 58. The fact of the matter is that it was the British and Foreign Anti-slavery Society in London, and not the English cabinet that caused the hubbub, and produced the exasperation in the U. S. against Great Britain. It was the meddlesome members of this society that hastened the annexation; and the same author expresses his belief that the British government had no sympathy with or respect for them. Consult, on this subject, *Id.*, 49–58. Anson Jones says—*Mem.*, 1850, p. 52, in *Thrall*, 347—'the subject of domestic slavery, about which so much alarm existed in 1844–5, was never so much as mentioned or alluded to by the British minister to the government of Texas, except to disclaim, in the most emphatic terms, any intention on the part of England ever to interfere with it here.' See also *Niles' Reg.*, lxiv. 404. On the diplomatic negotiations with Great Britain see *Smith, ut sup.*, 59–64.

[51] Not, as Yoakum has it, Sabinas, ii. 421; Thrall, p. 337, seems to have copied this error. See *Rivera, Hist. Jalapa*, iii. 624.

on the west side of the Rio Grande. After some difficulties the proceedings were hastened by the agitation which prevailed, owing to the news from the United States, and on February 15, 1844, the armistice was signed, the arrangements being made that hostilities should cease pending negotiations for peace, the duration of which was not to be extended beyond May 1st, unless peace was probable. Houston refused to ratify it, as it referred to Texas as a department of Mexico, and on June 16th, Woll instructed by Santa Anna, sent in a manifesto to Houston announcing that Mexico had resumed hostilities.[2] But during the short remaining existence of the Texan republic her foe confined her hostile intentions to menaces and preparations for war.

At the election held September 2, 1844, Anson Jones was chosen president, and Kenneth L. Anderson, vice-president. No more important election had yet been held in the republic, inasmuch as it represented at that date the feelings of the people on the great question of incorporation into the United States. Edward Burleson was Jones' competitor and an annexationist. The total number of votes cast was 12,752, of which Jones polled 7,037, and Burleson 5,661, the remaining 54 votes being scattering.[3] Jones was supposed to be an anti-annexationist.

The ninth congress having met and organized, December 3d, President Houston delivered his farewell message. He represented the foreign and do-

[2] Assigning as the reason, the failure of the commissioners to proceed to Mexico according to the 4th art. of the armistice, to regulate differences. Copy in *Niles' Reg.*, lxvi. 362. Relative to this armistice and England's relations with Texas the reader can consult, *id.*, lxiv. 307, 404; lxv. 84, 178, 212, lxvi. 96-8, 113, 280, 362; lxvii. 113-14; *Ricord, Hist. Ledger*, iii. 600-1, 603-7; *Bustamante, Hist. S. Anna*, 112-16; De Bow's Encyc., 1844, 2d ed. 265-9.

[3] The number of counties was 36, which sent up 61 delegates to the convention of 1845, 35 of whom were anti-annexationists, and 26 annexationists. In *Niles' Reg.*, lxviii. 240, will be found a tabular form, giving the names of the counties, the number of votes cast in each, and the number of delegates sent by each. Only five counties, namely, Harris, Harrison, Nacogdoches, Red River, and Washington sent three delegates: Montgomery sent four, eighteen counties sent one delegate, and thirteen sent two.

mestic relations of the republic to be in a prosperous condition. Treaties of amity, navigation, and commerce had been exchanged with several of the German states. The most important part of the message refers to the subjects of the proceeding pages of this chapter. "The governments of Great Britain and France," he says, "still maintain towards us those sentiments of friendship and good feeling which have ever marked their intercourse with us, and which it should continue to be our studious care, by every proper manifestation on our part, to strengthen and reciprocate. There is no ground to suspect that the late agitation of international questions between this republic, and that of the United States, has in any degree abated their desire for our continued prosperity and independence, or caused them to relax their good offices to bring about the speedy and honorable adjustment of our difficulties with Mexico. That they should evince anxiety for our separate existence, and permanent independence as a nation is not only natural, but entirely commendable." And he adds, that they were too well acquainted with the history of the Texan republic's origin, to suppose that she would surrender one jot of liberty and right of self-government. "They will not ask it, they do not expect it, we would not yield it." [54] Such were the words of the president some ten months before the popular vote proclaimed almost unanimously in favor of annexation. But Houston had some reason for expressing himself thus. On June 8th the United States senate, after continuing in secret session till 9 o'clock P. M., discussing the treaty of annexation, which had been brought before it by a joint resolution of the house, rejected its ratification by a vote of 35 to 16.[55] Politically, Texas was not in an enviable position at this time. She was, unwittingly, the shuttlecock of stronger powers. Influenced by agi-

[54] *Niles' Reg.*, lxvii. 272.
[55] *Cong. Globe*, 28 cong., 1 sess., xiii.; pt 1, p. 692.

tators from the United States, which used England as their bugbear, her people rapidly changed their feelings against annexation. Rather than occupy the position of a minor nation, she consented to throw down the sceptre of individual sovereignty under the shield of her powerful sister, while saving her own dignity by waiting to be invited to do so.

On retiring from office, Houston was surrounded by stanch friends and bitter enemies, who were not choice in the language they made use of in denouncing each other's policy. But it is not my purpose to record the many unseemly recriminations, the numerous personal insults, which at this time and later,[56] were bandied to and fro between the parties,[57] or to constitute myself a judge. But an unbiased observer cannot ignore facts. Houston, by the close of his second administration, had again, by a pacific policy, brought the Indians to terms of peace;[58] by his suggestions the expenses of the government were so re-

[56] Consult, *Green's Journal, Mier Exped.*, passim. Houston's Speech, Aug. 1, 1854, in *Cong. Globe*, 1854, append. 1214–18. *Id.*, 1855, 742. *Green's Reply to Houston*, Feb. 15, 1855, p. 67.

[57] On the question of annexation, Branch T. Archer—formerly a member of Lamar's cabinet—came out with a letter in which he considered that he proved that Houston and Jones 'pledged themselves to the British government that they were opposed to annexation.' *Id.*, lxviii. 374. How utterly at variance with this assertion are Anson Jones' remarks! In his Memoranda for 1850, under date of Feb. 1st, we read: 'The annexation of Texas is an event, the resulting consequences of which are too vast to be yet realized or calculated. Of this measure I was the architect. I saved it subsequently from the destructive violence of some potent enemies, as well as of its best friends in the United States and Texas, who, like the boys in chase of the butterfly, would have crushed it in their imprudent and impatient grasp. The exciting and balancing of the constantly acting and re-acting rival influences of England, France, Mexico, and the United States, and conveying them all to the one point, with the view, and for the purpose of effecting my object, was a labor, in which for five years I did not give sleep to my eyes or slumber to my eyelids, and in which I was finally successful.' *Rep. Tex.*, 44–5. The course adopted by Jones gave mortal offence to Houston.

[58] A treaty of perpetual amity was concluded Sept. 28, 1843, with ten tribes, viz. the Tiwahcones, Keachies, Waccos, Caddoes, Anadalikoes, Ironies, Cherokees, Boloxies, Delawares, and Chickasaws. *Niles' Reg.*, lxv. 195. The celebrated Texan ranger, Col. John C. Hays, says: 'Before the annexation of Texas the Indians in that part of the country were pretty well whipped out, and they retreated far back into the interior with their families, and mostly ceased their depredations upon the whites.' *Hays' Life and Adven.*, MS., 11. The Comanches are, doubtless, referred to by the colonel.

duced that the revenue was adequate to meet them; and both in an agricultural and commercial point of view Texas thrived under his non-hostile policy.

Houston was a singular man. Gifted with no ordinary abilities and well educated, he was fully capable of guiding the helm of government. His great failings were vanity and its companion—jealousy. Moreover, he clothed himself in a robe of mystery, thereby causing offence. The student of history cannot fail to be impressed with his achievements in the cause of Texas. Mistakes he made, but they were more in the direction of giving offence to opponents than measures detrimental to the solidity and vitality of his adopted country, whose interests he had ever at heart. Houston had hard men to deal with—fiery spirits, all ambitious of fame. During the struggle for independence, the most enterprising and the boldest men flocked into Texas from the United States—men prominent alike by their physical and mental capabilities. Texas offered a field on which they might win renown. Thus it was that high position in the army was ever a contested prize, and each aspiring officer sought to be the leader. With such aspirants, it is not to be wondered that every move and every act of the general-in-chief were taken notice of and criticised unfavorably by those who thought they could do better. His Fabian policy in his famous retreat from Gonzalez caused much murmuring and ill-will among his impatient followers. But his principle was sound in the highest degree. To lure the enemy to the banks of the Sabine, far from his base of supplies and source of recruits, and give him battle on a broader land, where the Texans could confidently expect military aid from the United States, was matchless strategy. This engagement with the foe at San Jacinto was doubtless brought about, to some extent, by pressure. But, if Houston had not had a clear perception of every probability of victory, he never would have fought that battle. His moral courage was para-

mount to insubordinate dictation. His troubles, also, with regards to immigrants were not light. Every incomer was determined and ready to sustain his claim to the land on which he settled, whether holding a forged or legal certificate of "head-right." The fact that Houston maintained himself at the head of such a community proves his ability and worth.

In his inaugural address President Jones stated that his object would be the maintenance of public credit; the reduction of the expenses of government; the abolishment of paper issues; the revision of the tariff law; the establishment of a system of public schools; the attainment of speedy peace with Mexico, and friendly and just relations with the Indians on the frontier; the introduction of the penitentiary system; and the encouragement of internal improvement. Not a word was said on the subject of annexation.

Jones' administration was destined to be short. On February 28, 1845, a joint resolution of the two houses in favor of the incorporation of Texas into the union was passed in the United States' congress. On March 1st President Polk signed the document, and to Texas was left the decision of accepting or not the invitation. President Jones on May 5th issued a proclamation for the election of delegates to a general convention to consider the proposition passed by the United States' congress. On July 4th the convention met at Austin, and appointed a committee to which the question was referred to be reported upon. The committee drew up an ordinance in the form of a joint resolution in favor of annexation, recommending its adoption by both houses of congress. Only one member voted against the ordinance,[*] which was

[*] Richard Bache, a grandson of Benjamin Franklin, representative for Galveston. *Thrall*, 384. Copy of the joint resolution of the U. S. congress submitted to Texas will be found in *U. S. Charters and Constit.*, ii. 1794-5. By the terms of it all public edifices, fortifications, barracks, ports, and harbors, navy and navy-yards, docks, magazines, arms, and armament were to be vested in the U. S., while Texas was to retain possession of all her public lands.

submitted, together with a new constitution,[60] framed and adopted by the convention, to the decision of the people. On October 13th both the ordinance and the constitution were ratified by an almost unanimous vote. President Polk, December 29, 1845, approved the joint resolution of the United States congress that Texas should be admitted into the union,[61] and on February 19, 1846, President Jones surrendered the executive authority to the newly elected governor, J. Pinckney Henderson.[62] The lone star of Texas sank below the horizon to rise again amidst a constellation of unapproachable splendor.

[60] According to this state constitution, the legislature was to meet biennially; senators were to be chosen for four years, one-half biennially; ministers of the gospel were not elegible to the legislature; bills for raising revenue were to originate in the house of representatives; the governor's veto to any bill could be nullified by a subsequent two-thirds' vote of both houses in its favor; after 1850 a census of the free white population was to be taken every eight years for the apportionment of representation. The judiciary was to consist of one supreme court, district courts, and inferior courts; the judges of the supreme and district courts were appointed by the governor, with consent of two thirds of the senate, and hold office for six years; the supreme court had appellate jurisdiction only, and in criminal cases, and in appeals from interlocutory judgments, it was regulated by the legislature. The district courts had original jurisdiction in all criminal cases, and if the punishment was not specifically determined by law, the jury were to determine it. County courts for probate business were established and held in each county. The governor was chosen by plurality of votes for two years, and was only elegible for four years out of six; he could hold no other office, civil or military One-tenth of the annual revenue by taxation was to be appropriated to free public schools. No corporation with banking privileges was to be chartered. The aggregate of state debt contracted in future was not to exceed $100,000. Family homesteads, not exceeding 200 acres, and in value $2,000, were exempted from forced sale. Amendments to this constitution, after having been agreed to by two-thirds of each house, were to be submitted to the people; if then approved by a majority of the voters, and subsequently by two thirds of each house of the next legislature, they became valid parts of the constitution. *Fisher and Colby's Amer. Statis. An.*, 1854, 394–5.

[61] *U. S. H. Misc.*, vol. 19, doc. 45, pt 4, 122–4.

[62] For fuller particulars on the subject of the Texan annexation see *Hist. Mex.*, v. 322–38, this series; *Niles' Reg.*, lxxii. 222–3, 267–8, 287; lxxiii. 11, 31, 47, 147, 235–9, 280–2, 398–411; lxxiv. 105–6; *U. S., Repub. of*, 62; *Gallatin's Peace with Mex.*, 7–9; *Otero, Comun. Negoc. Dip.*, in *Pap. Var.*, 87, no. 14.

William Kennedy, Texas: The Rise, Progress, and Prospects of the Republic of Texas. London, 1841, 8vo, 2 vols., pp. lii, 378, and vi. 548; 2 maps. The author of this valuable work served in 1838, under Lord Durham, Governor-General of Canada, as assistant commissioner for enquiring into the municipal institutions of Lower Canada. Lord Durham's abrupt resignation having brought the commission to a premature close, Kennedy took the opportunity of visiting a large portion of the U. S., and extended his journey to Texas. During his residence there circumstances were so favorable to his acquiring

information on the political condition of the country, as to induce him to undertake the task of publishing the result of his enquiries and observations. The work contains a comprehensive history of all important events in Texas from 1820 to 1840, and supplies a vast amount of information on every subject included in the "rise, progress and prospects" of a new country. Kennedy was a keen observer; and better still, his observations were conducted without prejudice, and are correct; his reflections were deeply thoughtful, and, though evidently regarding with favor the Anglo-American colonists, and vindicating them in their action with regard to Mexico, his conclusions are just. His style is particularly graceful, felicitous, and attractive, rising frequently to eloquence; and the different topics and subjects of his work are well and carefully combined. Two good maps accompany it, one of which, facing p. 336, vol. I., indicates the grants of land conceded under the empresario system of Mexico. Another edition was published in N. Y. in 1841.

H. Yoakum—History of Texas from its first settlement in 1685, to its Annexation to the United States in 1845. New York, 1856, 8vo, 2 vols., pp. 482, 576. Illust. and maps. This is a work which may be considered as one of the best, if not the best, history of Texas. No other production of the kind in English supplies a more complete account of Texan events, the author having had the advantage of preceding works of importance, such as those of Kennedy, Foote, and other writers. His account of the early missionary labors and the founding, system, and decline of the missions is good, though brief; as also the information which he gives about the Indian tribes and their wars against the whites. Yoakum certainly made many mistakes, and has been frequently corrected by subsequent writers; he was an intimate friend of General Houston, and displays his admiration of him in his work: but this does not warrant Richardson, in saying that Yoakum's partiality was carried to an extreme of adulation, and habitually ignored the sanctity of truth. The same writer considered that there was no doubt that Yoakum received his data and voluminous documents from Houston, in spite of the latter's assertion that the work was one with which the commander-in-chief had no connection. This may be true to some extent, but when he goes on to say, 'we entertain no doubt that there are, in that book, letters, despatches, and documents, which were concocted for the book, and bear posterior to the events they refer to,' *Tex. Alm.*, 1860, 36—such a remark is not only reckless, as Richardson does not produce a shadow of proof, but bears the mark of enmity and malice. Yoakum supplies a large number of documents in his appendices, among which mention must be made of the copy of an old record in the archives of Béjar, bearing the date of 1744, and which contains much information on the early history of Texas; and of a memoir written by Col. Ellis P. Bean, about the year 1816, in which an account of Nolan's inroad is given, and of Bean's subsequent romantic career in Mexico, first as a prisoner, and afterward as a soldier fighting in the cause of the independence.

Henry Stuart Foote—Texas and the Texans, or Advance of the Anglo-Americans to the South West, etc., etc. Philadelphia, 1841, 12mo, 2 vols., pp. viii. 314, and v. 403. The author opens his work with a review of the leading events in Mexico, from the conquest by Cortés to the termination of the war of independence. He then enters upon Texan matters, and describes the numerous expeditions into Texas from the U. S. Of the Fredonian war he gives a very full account, preceded by a sketch of the progress of Austin's colony. The second volume is devoted to the Texan war of independence, and the causes which led to its outbreak. In a postscript some information is given concerning the claims of the U. S. to Texas, at different periods after the purchase of Louisiana, and the efforts to confirm a title to the territory. Foote had at his disposal much valuable material, and supplies copies of a number of important documents. He had been invited while in Texas, he informs us in his preface, 'to undertake a History of the War of Texan Independence, by more than twenty of the most conspicuous actors in

that war.' This may explain his strong one-sidedness, but is no excuse for his frequently indulging in contemptuous and undignified expressions when speaking of the Mexicans. His work, however, is a valuable contribution to Texan history.

Mary Austin Holley, Texas. Lexington, Ky., 1836. 12mo., pp. viii, 410; Map. This authoress published a few years previously, *Texas, Observations, Historical, Geographical, and Descriptive, in a Series of Letters written during a Visit to Austin's Colony, with a View to a Permanent Settlement in that Country, in the Autumn of 1831.* Baltimore, 1833, 12 mo., pp. 167. The work under consideration is an enlargement of the former issue, and contains a very correct description of the physical features of Texas, besides a large amount of historical matter, which is supported by copies of important documents. Mrs Holley concludes her narrative with a brief recital of the battle of San Jacinto, furnishing a list of the killed and wounded on the Texan side, as also Houston's Army Orders of May 5, 1836. Attached is an appendix containing 'The Constitution of the Mexican United States,' and 'Constitution of the Republic of Texas,' with a list of the signers of the 'Declaration of Rights.' In *The Quarterly Review*, vol. lxi. p. 332, a slighting remark is made, charging the authoress with giving the most favorable prospect of the new country for the purpose of inducing the immigration of settlers from the U. S.—the writer of the article sarcastically printing her name 'Austin' in italics. But the whole tone of his article is stamped with a lack of appreciating what a struggle for free principles against despotism really is. With regard to Mrs Holley's style I quote the following passage from *The NorthAmerican Review*, vol. xliii., no. xcii. p. 257. 'Mrs Holley has given an agreeable account of her visit, in her own femininely graceful style, yet by no means destitute of expression and force; and her statements, as to the natural features of the country, are, in substance, correct.' This remark refers to her earlier work.

W. B. Dewees—Letters from an Early Settler of Texas. Compiled by Cara Cardelle. Louisville, Ky., 1852, 12mo. pp. viii. 312. There is internal evidence that his work is not what it purports to be. The compiler states in her preface that she 'chanced to find, among the papers of a worthy friend, a large pile of letters from Texas, some of them bearing an early date in the history of that country.' Interested in the perusal of them she professes to have obtained leave from Dewees to publish them, and remarks, 'I give them as they are, from the pen of the author, lest by revising and correcting, some gem should be lost or beauty marred.' The first letter is dated 'Long Prairie, Ark., March 1, 1819,' and the last 'Columbus, Texas, Feb. 3, 1852,' being in answer to the compiler's request that Dewees would write her 'concerning the prosperity of your country, from the date of your last letter (January, 1850) up to the present time;' that is, Jan. 15, 1852. Now without discussing the many extraordinary historical mistakes scattered through the volume, attention is called to that in the third letter dated June 10, 1821. The writer says, on pp. 20–22, 'Nacogdoches is an old Spanish town, situated on the San Antonio and Louisiana road, about sixty miles west of the Sabine river, in the state of Coahuila and Texas;' and again: 'During my stay in Nacogdoches, I learned that Mr Moses Austin, of Missouri, had received permission from the Mexican government to establish a colony in the state of Coahuila and Texas.' Here is a glaring anachronism that could not have been perpetrated by Dewees; the state of Coahuila and Texas was not formed till May 7, 1824—see index this volume. That at least some of these letters are spurious there is incontrovertible evidence. In the 19th letter, dated Columbus, Texas, May 15, 1836, the writer has not scrupled to copy almost verbatim from *Mrs Holley's Texas*, pp. 354–5. I quote a few passages. Dewees writes 'Colonel Travis, on whose head a price was set, when wounded and dying was attacked by a Mexican officer who seemed intent on *striking the body of the dead;*' Mrs Holley has, 'who, in imitation of the western savage seemed desirous of *striking the body of the dead*, the other portion of the passage being identical. Dewees

has 'Travis met and plunged his sword to the breast of the savage Mexican, and they fell, the victor with the victim, to rise no more.' Mrs Holley writes, 'Travis met and plunged his sword in the breast of the advancing enemy, and fell, the victor with the victim, to rise no more.' Again the following passage is almost word for word, the same as the corresponding one in Mrs Holley's work. 'Immediately after the fall of the Alamo, Gen. Santa Anna sent Mrs Dickenson and Col Travis' servant to Gen. Houston's camp, accompanied by a Mexican, with a flag, who bore a note from Santa Anna offering the Texans peace and a general amnesty if they would lay down their arms and submit to his government. Gen. Houston's reply was "True, sir, you have succeeded in killing some of our brave men, but the Texans are not yet whipped."' Now Mrs Holley published in her work, which was issued in Lexington, Kentucky, in 1826, Army Orders of Gen. Houston, dated May 5, 1836, and it was impossible that Dawson could have had the work before him at the time when his letter is pretended to have been written. The conclusion that the letters were written long after the dates assigned to them is indisputable. With regard to their matter, they contain numerous accounts of fights with Indians and of the distressed condition of the early settlers. In historical matters they are marked by inaccuracies and exaggeration.

Anson Jones: Memoranda and Official Correspondence relating to the Republic of Texas: Its Birth and Annexation. Including a brief Autobiography of the Author. New York, 1859, 8vo, pp. 648. The author of this work went to Texas in 1833, and fought against the Mexicans as a soldier in the ranks. After the independence of Texas, he was successively representative, senator, secretary of state, minister, and president. His book consequently contains a vast amount of information; as he gives in it not only his private memoirs, but all his official correspondence, especially during 1841 to 1844. It is divided in 'Private Memoirs,' 'Memoranda,' in the form of a journal, and 'Letters, etc.,' among which appear extracts from a number of Texan and U. S. newspapers. The work contains extensive information on all political affairs in Texas, from the time of his arrival, to within a few weeks of its death, Jan. 7, 1858. Especially valuable are his remarks on the campaign of 1836, the annexation question, and the schemes of England. During Jones' presidency Gen. Houston became estranged from him and, according to his own statement, page 520, assumed a hostile attitude toward him both politically and personally. Doctor Jones was subject to paroxysms of gloom, and in a fit of despondency took his own life on the above mentioned date.

An elaborate volume by Homer S. Thrall, *A Pictorial History of Texas, from the Earliest Visits of Europeans to A. D., 1879*, etc., 8vo, St Louis, Mo. 8vo, pp. xix, and 861, map.—supplies exhaustive information regarding Texas the author having had access to many official documents, and the opportunity of perusing a large number of histories, pamphlets, and addresses bearing upon his subject. He has, therefore, been able to place before the reader, in a condensed form, a vast accumulation of historical events, and in all main features, it is safe to say that he is generally correct. Toward the close of the period which Thrall's work covers, he is scanty and very delicate about expressing any views of political matters. The work contains all matters connected with the history of the State. Lists of the executives and the personnel of the different departments will be found in the notes, and brief descriptions, in alphabetical order, of the counties are supplied, as also accounts of charitable and educational institutions and churches. Information is given on agricultural industries, railways and commerce, population and the growing wealth of the state. Perhaps the most valuable and interesting portion of the book is that devoted to biographical notices of prominent Texans, of whom he furnishes a list of over 200, their names arranged alphabetically. The work is so comprehensive in details, and methodical in construction, that it may be regarded as a miniature cyclopedia rather than a history of Texas.

The following is a list of the principal authorities consulted in the preceding chapters: U. S. government documents, notably *Cong. Debates; Id. Globe; Sen. Doc.; Sen. Miscel. Doc.; Sen. Rep.; H. Ex. Docs; H. Miscel. Docs; H. Com. Rep.; H. Jour.; Charters and Constitutions; Sen. Jour.;* to the respective indices of which the reader is referred for Texas affairs; *Rules and Articles for Govt Armies,* Houston, 1839, 20 pp.; *Texas Repealed,* passim; *Texas State Gaz.,* iv. app.; *Laws of Rep. of Texas,* for the years 1838–45; *Texas, Message of Pres.,* Houston, 1838, 32 pp.; *Laying Corner-stone New State Capital,* Austin, 1885, 43 pp.; *Tex. Almanacs,* for the years 1858–61, 1867–9, see indices; *Filisola, Mem. Hist. Guer. Tex.,* vols i. and ii.; *Kennedy's Tex.,* vols i. and ii.; *Baker's Tex.,* passim; *Cordova's Tex.,* 3–6, 102–53; *Jay's Mex. War,* 20–106; *Holley's Tex.,* passim; *Houston's Letter to Santa Ana; Id., Life of,* 211–24; *Id., Message,* May 12th, Houston, 1838, 9 pp.; *Id., Mess. Relative to Ind. Affairs,* Houston, 1838, 13 pp.; *Foote's Tex.,* passim; *Mex. Manifest del Cong. Gen.,* Mex., 1836, 20 pp.; *Id., Rel. Exter.,* 1838, 12–14, 18; *Id., Mem. Hac.,* 1838, 7; *Id., Col. Leyes,* 1829–30; *Thrall's Tex.,* 18–701; *Rivera, Jalapa,* iii., passim; *Young's Hist. of Mex.,* 262–606; *Gray's Outline Hist.,* 1–16; *Linn's Reminis.,* 65, 225–312; *U. S. Repub.,* 58–268; *Burnett's Address to the Sen.,* Houston, 1838, 8 pp.; *Lester's Houston and his Repub.,* 45–201; *Dublan and Lozano, Leg. Mex.,* iii. 141–88; iv. 154, 198; v. 17; *Roberts' Descript. Tex.,* i.–iv.; *Willson's Amer. Hist.,* 665–72; *Gwin's Memoirs,* MS., 2–4, 249–55; *Potter's Texas Revol.,* 27 pp.; *Tex. Coll. Docs,* nos 3–7, 19, 53–8, 65; *Hansard's Parl. Rec.,* lxv. 964–5; lxxiv. 1227, 1330; *Id., Parl. Deb.,* xxxvii. 191–202; *Hay's Life,* MS., 3, 7, 11–33; *Niles' Register,* covering the period, see indices; *Federacion y Texas,* 39 pp.; *Dewees' Letters from Tex.,* 223–98, 304–8; *Patton's Hist. U. S.,* 686–91; *Domenech, Hist. du Mex.,* 177–8, 187–96; *Id., Jour. Missionaire,* 10, 25, 325–442; *Falconer's Discov. Miss.,* 34–52; *Hist. Doc. Cal.,* i. 72; ii. 21, 36; *Fry's Life of Taylor,* 71–86; *Gallatin's Peace with Mex.,* 7–9, 15–23; *Green's Journal,* passim; *Id., Reply to Houston,* 29–66; *Id., Speech in U. S. Sen.,* 3–67; *Gratton's Civ. Amer.,* ii. 261–5, 278–311; *Hooton's St Louis Isle,* Lond., 1847, 204 pp.; *Jenkins' Mex. War,* passim; *Id., Life of Polk,* 120–33, 236–45; *Peirce's Rough Sketch,* MS., 93–8; *Id., Jour.,* MS., 100–9; *Varios Impresos,* 2, no. vi. 1–96; *Giddings' Speeches,* 97–118; *Smith's Reminis. Tex.,* Galv., 1876, 82 pp.; *Barbey, Tex.; Benton's Deb. in Cong.,* xii. 650–2, 805; xiii. 802; xx. 673–4; *Id., Thirty Years' View,* ii. 581–624, 665–76; *Bustamante, Diario Mex.,* MS., xliv. 81, 109, 127, 169; xlv. 53, 71, 168; xlvi. 31, 77, 87; *Id., Gabinete Mex.,* MS., i. 5, 23–4, 45; ii. 7–14, 158–70, 183–5; iv. 17; *Id., Mem. Hist. Mex.,* MS., ii. 46–50, 61–2, 71–6, 90–3, 166–7; *Id., Hist. Santa Anna,* 5–6, 42–50, 110–16, 301; *Ceballos, Vind. de Mex.,* 43–50, 73–7; *Channing's Letter to Clay; Complaint of Mex.; Bonnell's Descrip. Tex.,* 117–50; *Kendall's Narr. of Tex., Santa Fé Exped.,* ii. 11–406; *Kennedy's Speech in U. S. Sen.,; Blanchard's S. Juan,* 522–6, 543–72; *Almonte, Notic. Estadist. Tex.,* 5–10, 51, 68–70, 76–7; *Adams, Discurso del Ex-presidente,* Mex., 1836, 22 pp.; *Rep. Mex. Border Commiss.,* 245 et seq.; *Tornel, Tejas Estad. Unid.,* 1–98; *Niles' S. Amer. and Mex.,* i. 250–69, 356–69, 372; *Ramsey's Other Side,* 21–4; *Crane's Wash. Co. Tex.,* 25–9, 33; *Tex., Dictamen de Comis Unidas,* 24 pp.; *Texas, History of, or Emig. Guide to,* N. Y., 1844, 275 pp.; *Fournel, Coup d'Oeil,* 20–1, 38, 41, 53–6; *Tejas, Exped. hecha en,* 1–56; *Id., Com. Agreg. Estad. Unid.,* 3–30; *Porter's Rev. Mex. War,* 9–35; *Mex. Comunic. Agreg. Tex.,* 7–30; *Mansfield's Mex. War,* 9–19, 22–4; *Amer. State Papers,* vi. 412–27; *Arrillaga, Recop.,* 1836, 234, 331–3; 1837, 40, 86–7, 268–9, 398, 596–7; 1838, 187, 212–13; *Austin Directory,* 1877–8, 1–33; *Tex. in 1840,* 23–8, 61–7, 209–22, 248–56; *Marcy's Army Life,* 63, 356–90; *Texas Com. from Sec. of the Treas.,* Houston, 1838, 16 pp.; *Goodrich's Hist. N. and S. Amer.,* 268–70, 810–61; *Dickenson's Speeches,* i. 127–59; *Larenaudière. Mex. y Guat.,* 239–40; *Lamar's Letter on Annex. of Tex.; Id., Inaug. Address,* Houston, 1838, 11 pp.; *Rivero, Mex. en 1842,* 118, 223; *Guerra entre Mex. y los Estad. Unid.,* 17, 21–2; *Yuc. Manifest Gob. Prov.,* 16–37; *Peeler and Maxey's Mercer Colony Case; McCabe's Comprehensive View,* 761–2; *Thompson's Recol. Mex.,* passim; *Olmsted's Journey,* 472–4; *Sumner's Orations,* ii. 107–16; *Robinson's Mex.,* 256–61; *Ripley's War Mex.,* i. 58; *Texan Revolution; MacGregor's*

Progress of Amer., ii. 1036, 1256; *Baqueiro, Ensayo Yuc.*, i. 42–5; *Barreiro, Resumen*, 36 pp.; *Hutchison's Reminis.*, 198–208; *War in Texas*, 64 pp.; *Rejon, Crecencio Justificacion*, 1–35; *Hunt's Address to People of Tex.*, 21–43; *Id.*, *Public Lands and Debt of Tex.*, 16 pp.; *Palacio Leyes*, 1844–6, 115–17; *Otero, Obras*, MS., i. 313–17; ii. 1–4; *Tex., Ult. Comunic.*, Mex., 1846, 22 pp.; *Democratic Rev.*, 1839–45; *Pap. Var.*, 75, no. 14, 85, no. 15, 106, no. 7, 111, no. 1, 143, no. 19, 149, no. 12; *Mayer's Mex. War*, 54–66, 74–5; *Id.*, *Mex. as It Was and Is*, 312; *Rouhen, Regions Nouvelles*, 27; *Lond. Geog. Soc. Jour.*, xiii. 202–44; *Fisher's Memorials*, 3–87; *De Bow's Stat. View*, 32–168; *Edinburgh Rev.*, no. 147, p. 206, no. 157, p. 180–2; *North Amer. Rev.*, xliii. 251–7; *Hunt's Merch. Mag.*, ii. 264–5; iv. 564; xvi. 486, 557; xviii. 504; *Amer. Rev.*, 75–81; *Gouge's Fiscal Hist. Tex.*, 54–102, 292–318; *Gould's Alamo City Guide*, 23–7; *Putnam's Monthly Mag.*, iii. 183–94; iv. 639–44; *Hobb's Wild Life in Far West*, 18–32; *Reid's Tramp*, 42–5, 52; *Payne's Hist. European Colonies*, 310–11; *Hardman's Frontier Life*, 197–248; *Muller, Reisen on Mex.*, iii. 315–17 In connection with the preceding, a large number of newspaper authorities have been examined.

SEAL OF TEXAS.

CHAPTER XV

TEXAS AS A STATE.

1846–1859.

SOCIAL CONDITION OF THE TEXANS—POPULATION—POSITION OF MALEFACTORS—SIMPLICITY OF HOUSEHOLDS—THE LITERATE ELEMENT—GOVERNOR HENDERSON'S INAUGURATION—TEXANS' DOINGS IN THE MEXICAN WAR—WOOD'S ADMINISTRATION—DISPUTE ABOUT THE POSSESSION OF SANTA FÉ—GOVERNOR BELL—THE TEXAN DEBT—PEARCE'S BILL—THE SANTA FÉ AND PUBLIC DEBT QUESTIONS—SCALING THE DEBT—PEASE'S ADMINISTRATION—PROSPERITY—INDIAN DEPREDATIONS—NATIVE COLONIES—PROSPECTS OF SUCCESS—VICIOUS INDIAN SETTLERS—ANGRY FRONTIER-MEN—A BARBAROUS MASSACRE—REMOVAL OF THE INDIAN COLONISTS—FINAL ADJUSTMENT OF THE PUBLIC DEBT—FINANCIAL MATTERS—HOSTILITY TO MEXICANS—THE CART WAR—POLITICAL PARTIES—BIOGRAPHY OF RUSK—ADMINISTRATION OF RUNNELS—THE SLAVERY AGITATION—HOUSTON ELECTED GOVERNOR.

TEXAS now entered upon a new phase of existence. She had presented to the world the extraordinary spectacle of a nation voluntarily surrendering its nationality, of a sovereign people laying down their sceptre of autonomy. But her gain was not small. No longer had she to support an army and navy, or bear the expenses of a diplomatic corps and postal service. With regard to her internal condition it had greatly improved. Agricultural productions had increased, and by 1845 the exports nearly equalled the imports.[1] Having arrived at a distinctive period of

[1] For the year ending July 31, 1844, the imports amounted to $686,503, and the exports to $615,119, showing a balance of trade against the republic of $71,384. In 1839 the corresponding balance was $1,232,379, or more than 17 times as much. Gouge, in his *Fiscal Hist.*, 128, supplies these figures, and points out the effect of excessive issues of paper currency in encouraging imports and discouraging exports. Though there is some truth in his remark, he fails to take notice of the fact that the production of raw material in Texas was rapidly increasing, and would naturally affect the balance of trade.

Texan history, it will not be out of place to take a retrospective glance at the social condition of those extraordinary men who wrested from a powerful nation this fair portion of her territory.

It is impossible to arrive at any certain estimate as to the number of the Anglo-Texan population before the year 1847, when the first census was taken, showing the number of that race to be 100,508.[1] A calculation based upon the number of votes cast in September, 1844, at the presidential election, gives the figures 51,008;[2] but when it is considered how widely the population was dispersed, and the consequent probability that no small number of the country voters would be unable to appear at the polls, these figures may be regarded as too low. The Mexican element at this time numbered about 4,000 souls. These, with the exception of the Mexicans resident at Béjar, Goliad, and Nacogdoches, were scattered among the settlements. Some few European immigrants, for the most part English, Irish, and Germans, were also to be found.[3] San Patricio, which was essentially an Irish colony, contained quite a number of that race. English settlers, also, shortly before the annexation, were constantly arriving, some of whom engaged in raising sheep, bringing with them flocks of the best bred wool-producers in Great Britain.

When it is borne in mind from how many states of the northern union the early settlers of Texas proceeded, that descendants of the pilgrim fathers, and Hollanders from the north, of the old Virginia cavaliers, and of the ancient Huguenots who settled in South Carolina, that hunters from Kentucky and Tennessee, and illiterate frontier farmers all flocked to this land of promise, it will be recognized how motley was the

[1] Consult note 4, chapter xiv.

[2] The number of votes was 12,752, and each voter is estimated to represent four persons, including himself.

[3] In 1845 a German colony was founded by Prince de Solms, on the Guadalupe river. At first these settlers suffered much from sickness, but their county capital, New Braunfels is now a thriving place. *Lieut's Rem.*, 348.

community at this time. But on their arrival, previous rivalries and jealousies, arising from different origins and local interests, to a great extent disappeared. They had met in a new land under a common name, and were ready to aid each other and live in friendship, but as yet no national character distinguished the people of Texas. Neither in manners, customs, nor dress, did they display uniformity; and each new-comer, finding no general model, retained the habits he had brought with him. In their intercourse with each other and with strangers, they exhibited a freedom, and a want of the tinsel of politeness—so often the cloak of insincerity—which might not always have pleased the transient traveller; but if he possessed ordinary common sense, he soon discovered the virtues of frankness, truthfulness, and hospitality in the Texan settler.

With regard to the criminal element, the murderers and fugitives from justice of which the people were said to be largely composed, I fail to find these hasty assertions verified. Either the Texans were intentionally maligned, or else they were introduced to the world by writers who had no personal knowledge of them. That numbers of malefactors found their way into Texas cannot be denied; but they were in so small a minority that they possessed no influence; and it may justly be said that in respect to this social detriment, Texas suffered no more than the settlements in all the frontier states of the union.[5] Over the class of people which is the subject of these remarks a vigilant watch was kept by the community, and an immigrant guilty of crime, who had made

[5] Unbiassed travellers recognized this. Consult *Parker's Trip to the West and Tex.*, 169–70; *Texas, A Visit to, being the Journal of a Traveler*, 214–16; *Texas, A History of, or the Emigrants' Guide*, 230. These works, published respectively in 1835, 1834, and 1844, contain much excellent information, and are evidently reliable. Jake Johnson, a native Texan, and son of an old pioneer who in early days was a stock-raiser and farmer in Gonzalez county, writing in 1886, says, 'The reason Texas has such a bad name is that when the lawless of other portions of the country commit depredations, they come to Texas, and thus give the state a bad name.' *Race Horses in Tex.*, MS., 1.

Texas his place of refuge, was generally careful not to repeat the offence which had caused his expatriation. To suppose that no murders, or no violence occurred in Texas, would be to imagine a millennium. Many abominable crimes were perpetrated; but they were not in greater proportion than every newly settled country in the United States has been subject to; while at the same time theft and burglary were carried on to a much less extent. In manners and morals the conduct of the Anglo-Texans would bear comparison with those of any new country.

In most of the towns could be found a billiard room, and in the suburbs a race-course. The amusements derived from these sources were greatly in vogue among the Texans. Though the legislature attempted to suppress gambling,* this vice was greatly practised in private. With regard to the use of intoxicating liquors the Texans could not be charged with too strict temperance.

In the older settlements some comfortable frame-houses could be seen at this date, and occasionally a few of brick. In these might be found good imported furniture and articles of luxury, such as pianos, sofas, and bureaus. But the dwellings of most of the settlers, especially in the country, were of logs, with furniture of the simplest kind, generally made on the spot out of materials at hand. A few boards with supports roughly put together, constituted the household table, and chair frame-works were covered with raw hides. The female part of the community performed nearly all the household duties; and refined as were the wives of many immigrants, they were not exempt from severe toil unless they held slaves.

Food was of the simplest kind, except in the towns and the better class of country establishments. Corn-meal bread, meat, and sweet or Irish potatoes consti-

*On May 26, 1837, an act was passed making all games of chance, played by persons holding banks for the purpose of inviting bettors thereto, penal offences. *Laws Repub. Tex.*, i. 228-9. This law had the effect of suppressing gambling in public only.

tuted the principal viands in the outlying districts. The corn was frequently left standing in the field, and gathered only as it became wanted.[7] The chief exports were cotton, sugar, live-stock, and peltries. Indeed, the agricultural productions as yet were very few, and confined to those of the first necessity.

A large portion of the settlers at this time was composed of illiterate men, drawn from the class of industrious husbandmen whose tastes and avocations precluded the acquirement of an education. But, nevertheless, among the early immigrants into Texas were many highly cultured persons. The various professions were represented by numerous individuals who displayed great intelligence and skill in their particular callings; many were gifted with conversational powers and versed in literature and science. During the last years of the republic, graduates from half the colleges in the United States could be found in Texas.[8]

On the 16th of February, 1846, the inauguration of J. Pinckney Henderson,[9] the first governor of the

[7] Parker—writing, however, a decade before the annexation—says: 'It used to amuse me, when we rode up to a house at night and called for a meal, to hear the women sing out to a boy, "Run to the field and bring two or three ears of corn, I want to make some bread for the gentlemen's supper.'" *Ut sup.*, 130–1.

[8] *Texas, A Hist. of*, 230–1.

[9] Henderson was born in Lincoln county, N. C., March 31, 1809. For several years he studied at the university of Chapel Hill, and having adopted the profession of law was admitted to practise in N. C. at the early age of nineteen. His intense application while preparing for his profession injured his constitution. He went to Texas in 1836, and in 1837 was appointed minister from the republic of Texas to England and France, where he succeeded in obtaining a recognition of the independence of Texas. He married Frances Cox, in London, in October, 1839. On his return to Texas in 1840 he practised his profession till 1844, when he was appointed minister plenipotentiary to act in concert with Colonel Van Zandt, the chargé d' affairs of Texas to the United States, to negotiate a treaty of annexation. The treaty was, however, rejected by the U. S. senate. In the war with Mexico, Henderson signalized himself, especially at the capture of Monterey, and was one of the commissioners appointed by Taylor to treat with Ampudia for the surrender of that place. On his return to Texas he declined a renomination as candidate for the governship, and resumed the practise of his profession. He died in June, 1858, at the federal capital, having proceeded thither to fill the vacancy in the U. S. senate occasioned by the death of Senator Rusk. *Tex. Alm.*, 1868, 55–8; *Thrall*, 551; *Cong. Globe*, 1858, 899; *Tex. State Gaz.*, iv. app., 161–6.

new state took place. By the constitution which had been drawn up by the convention and ratified by popular vote the year before,[10] the governor's term of office was fixed at two years, the power of veto being granted him. He also had the privilege of nominating the justices of the supreme court, and the judges of the eight judicial districts which were formed by the legislature. His nominations were to be confirmed by a vote of two thirds of the senate, and the appointees were to hold office for six years.

When the joint resolutions of the United States congress, in favor of annexation, were officially published, March 7, 1845, General Almonte, the Mexican minister at Washington, denounced the proceeding in a vehement protest, and demanded his passports. As there could now be no doubt of war with Mexico —a result which the United States was really playing for—General Taylor, who, pending negotiations, had been stationed on the Sabine with a strong force of United States troops, was ordered to establish his headquarters at Corpus Christi, at the mouth of the Nueces. This significant movement was effected at the end of June. The Mexicans were, however, making vigorous preparations for war, and were massing troops at Matamoros, evidently the first point to be attacked if the enemy invaded Mexican territory.

As the events of the Mexican war are fully narrated in another volume,[11] I shall not, of course, enter into particulars here; yet it would be an injustice to the Texan volunteers, who bore a noble part in that struggle, that in the history of their country, no mention of their achievements should be made.

As soon as hostilities seemed inevitable, the Texan legislature passed a bill authorizing Governor Henderson to take command of the Texans who might be mustered into the service of the United States. On

[10] It was approved by the people on the second Monday in Oct. 1845.
[11] *Hist. Mex.*, v. 346–548, this series.

May 2, 1846, a requisition for two regiments of infantry and two of cavalry was made on Texas. On May 8th and 9th, the battles of Palo Alto and Resaca de la Palma were fought, but it does not appear that many Texans took part in them,[12] and it is probable that Henderson did not join Taylor with his command until the army had reached Camargo. The limited means of transportation, and uncertainty with regard to supplies, induced Taylor, while on his march

CITY OF MONTEREY.

against Monterey, to leave a large number of volunteers on garrison duty in towns on the Rio Grande. Thus, the 1st and 2d regiments only of the Texan division accompanied the army on that memorable campaign. In the attack upon Monterey, the 1st regiment mounted volunteers under Colonel John C. Hays, the celebrated ranger, was detached and sent with General Worth to make a demonstration on the western side of the town, while Taylor assaulted on the east.

[12] Capt. Samuel H. Walker, of the Texan Rangers, however, performed eminent service as a scout. He was afterward killed at Huamantla, while serving in Gen. Lane's command.

The city, which was strongly fortified and garrisoned, was assailed by Taylor September 21st. The attack lasted three days, on the last of which Henderson led in person the 2d regiment of Texans, who, dismounting, acted as infantry. Being cut off from his men by a murderous fire, he narrowly escaped death.

Meanwhile Worth, making a detour, had gained the other side of the town. On the 21st, he engaged a body of Mexicans 1,500 strong, and it was mainly owing to the strategy of Hays, and the deadly fire of the Texan Rangers, who were in advance, that a furious cavalry charge was repulsed and a victory gained.

On the western side of Monterey lie two fortified heights, one on each side of the river on which the town is situated. These strongholds, known by the names of La Federacion and Cerro del Obispado, commanded the approach to the place. That afternoon a force of 300 men, half of them Texans, stormed and occupied La Federacion on the south side; and before daylight on the following morning 200 Texans led by Hays and Walker, with three companies of the artillery battalion and three companies of the 8th infantry, scaled in two columns, under cover of a mist, the almost perpendicular height of El Obispado, and well nigh reached the summit before the alarm was given. Then a volley was poured down upon them. But the work was soon carried, and as fresh troops arrived in support, the strong fort of El Obispado was assaulted and taken. The Texans, however, had to mourn the death of Captain Gillispie, whose loss was deeply lamented.

The investment of the city on the west side was complete; and during the next two days the Americans so successfully pushed their way into the city—the Texans bearing a prominent part in the struggle—that on the 24th Ampudia capitulated, General Henderson being appointed by Taylor one of the com-

missioners to treat about the terms of surrender.

All through the war the Texans distinguished themselves. Hays' regiment, of which the old rangers formed the nucleus, and among whom were such spirits as Benjamin McCulloch, Major Mike Chevalie, Samuel A. Walker, McMullen, Kit Acklin, J. B. McGowan, and others, after serving in Taylor's campaign on the Rio Grande, was transferred to Scott's command. The efficiency of these mounted troopers was marked wherever the army marched. Serving equally as well on foot as on horseback, they would storm a height or charge the enemy's cavalry with the same indifference, intrepidity, and success. On the road they were the terror of the guerrilla bands, and in the towns objects of dread to antagonists, and of awe to non-combatants. Their uncouth, wild, and fierce appearance, their strange garb, and their reputation for contempt of every form of danger, gained for them in Mexico the belief that they were more than human—that they were beings intermediate between man and devil. In the city of Mexico, some of these brave, single-hearted, and patriotic men fell beneath the knives of assassins, and the smouldered remains of many others lie buried in Mexican soil all the way from Vera Cruz to the capital.[13]

While Governor Henderson was absent in command of the Texan volunteers, his place was filled by Lieutenant-governor Horton. On December 21, 1847, George T. Wood[14] was inaugurated as the second governor of the state, and John A. Greer as lieutenant-governor. During Wood's administration, a controversy arose between Texas and the United States which could not fail to make the former reflect somewhat seriously upon the surrender of her separate

[13] *Hays' Life*, MS., 39–60; *Tex. Alm.*, 1868, 58–9; *Thrall*, 358–9; *Morphy*, 450–1.

[14] Wood was a native of Georgia; came to Texas in 1836, and in 1846 raised a regiment for the Mexican war, in which he served with distinction. He died in Panola county in 1856. *Thrall*, 635.

nationality. When war was formally declared between Mexico and the United States, General Kearney took possession of Santa Fé in the name of the latter power; and when, by the treaty of Guadalupe Hidalgo, February 22, 1848, New Mexico was ceded to the United States, Colonel Munroe was placed in command there. As the reader is aware, Texas laid claim to all that portion of New Mexico lying east of the Rio Grande; and in 1848 the state legislature passed an act extending her jurisdiction over it, and Judge Beard was sent to hold the district court. Colonel Munroe ignored the Texan judge, and ordered the election of a territorial delegate to the United States congress. The controversy assumed a serious phase. Governor Wood threatened force, a menace which the cabinet at Washington met by notifying the bellicose governor that if the Texans attempted to take forcible possession of New Mexico they would be treated as intruders. This question, which not only deeply concerned Texas but threatened a serious breach between the northern and southern states owing to the sympathy of the latter with Texas, was finally combined with that regarding the settlement of the public debt.

At the election of 1849, P. Hansborough Bell[1] was chosen governor, and John A. Greer reëlected lieutenant-governor. Governor Bell was inaugurated in December of the same year, and on the expiration of his term, was reëlected. His administration was marked by the settlement of the two absorbing questions of the boundary line and the public debt.

On the incorporation of Texas into the union, the United States' government, of course, acquired the revenue derived from the customs. These receipts, however, had been pledged by the late republic as

[1] Was a native of Virginia; landed at Velasco in March 1836, and fought as a private at San Jacinto. In 1845 he became a captain of rangers, and during the Mexican war was colonel of volunteers. He served two terms in the U. S. congress, and then settled in N. C. According to *Thrall*, 501, he was still alive in 1879.

security for the payment of a certain portion of her debt; and when they were passed over to the federal government, the bond-holders clamorously maintained that the United States had become responsible for the liabilities of Texas,[16] and pressed for a speedy settlement. This matter, as well as the boundary question, was discussed at great length in both houses, and on January 29, 1850, Henry Clay introduced among other "compromise resolutions," one designed to solve the perplexing questions of dispute with Texas.[17]

Meantime the excitement with regard to the question of ownership of that part of New Mexico lying east of the Rio Grande increased both in Texas and the United States. To show her serious determination not to yield her claim, a joint resolution was passed, February 11, 1850, by the legislature of the new state, not only asserting her right to the disputed ground, but declaring her intention to maintain the integrity of the territory.[18] The several resolutions of Clay's bill were slowly discussed, and on August 5, 1850, James A. Pearce, senator from Maryland, introduced a bill making definite propositions to the state of Texas relative to her boundary and the payment of her public debt. They were to

[16] That portion of the debt, however, for which the revenue from customs was specially pledged, only amounted to $868,000, ostensible value, or $611,784.50 par value. *Hunt's Merch. Mag.*, xxiv. 111.

[17] 'Resolved, that it be proposed to the state of Texas, that the U. S. will provide for the payment of all that portion of the legitimate and bona fide public debt of that state contracted prior to its annexation to the U. S., and for which the duties on foreign imports were pledged by the said state to its creditors, not exceeding the sum of $———, in consideration of the said duties so pledged having been no longer applicable to that object, after the said annexation, but having thenceforward become payable to the U. S., and upon condition, also, that the said state of Texas shall, by some solemn and authentic act of her legislature, or of a convention, relinquish to the U. S. any claim which it has to any part of New Mexico.,' *Benton's Abridg. Debates, Cong.*, xvi. 388, 391.

[18] 'Resolved by the legislature of the state of Texas, that all that territory which lies east of the Rio Grande, and a line running north from the source of the Rio Grande to the forty-second degree of north latitude, and south of the forty-second degree of north latitude and west and south of the line designated in the treaty between the U. S. and the late republic of Texas, of right belongs to the state of Texas, is included within her rightful civil and political jurisdiction, and the state of Texas will maintain the integrity of her territory.' *Tex., General Laws*, iii., pt 1, 207–8.

this effect: Texas was to agree that her boundary on the north should commence at the point at which the meridian of one hundred degrees west from Greenwich is intersected by the parallel of thirty-six degrees and thirty minutes north latitude, and should run from that point due west to the meridian of 103° west from Greenwich; thence the boundary line should run due south to the 32° of north latitude, thence on the said parallel to the Rio Grande, and thence with the channel of that river to the gulf of Mexico. Texas was to cede to the United States all her claim to territory outside of these limits, and to relinquish all claim on the United States for liability for her debts, or compensation for the surrender of her ships, forts, custom-houses, custom-house revenue, public buildings, etc. The United States, in consideration of the establishment of said boundary, and relinquishment of claims, would pay to Texas $10,000,000,[1] in stock bearing five per centum, and redeemable at the end of fourteen years. No more than $5,000,000 of said stock was to be issued until the creditors of the state of Texas had filed at the treasury of the United States releases of all claims against the United States on account of Texan bonds.[2] This bill passed the senate, August 7th, by a vote of thirty yeas and twenty nays, and on September 4th following, passed the house by a vote of 108 against 97.

The president having signed the bill, which was called the Boundary Act, it was forwarded to Governor Bell, who forthwith called an extra session of the legislature. The propositions met with violent opposition. Bell in his message advised the occupancy of Santa Fé with a military force, suggesting, however, that the vacant lands of that district might be sold to the United States provided that Texas retained jurisdiction over it. Apart from the

[1] Benton had proposed, Jan. 16th, that $15,000,000 should be paid Texas for similar considerations. *Cong. Globe*, xxii., pt 2, 1282.

[2] Copy of the bill will be found in *Benton's Abridg. Debates, Cong.*, xvi. 590.

unwillingness to yield territory on a general principle, there was one feature in the bill especially repulsive to the Texans, and that was the retaining half of the $10,000,000 in the United States' treasury until the creditors of Texas were paid. This self-protective condition imposed by the United States was regarded as a reflection on Texas, since it seemed to insinuate that she would not be disposed to meet her liabilities promptly if she obtained possession of the whole amount. Then again, agreement to the propositions was required to be given on or before December 1, 1850, a proviso which, taken with the general tone of the document, and the unconditional assent expected, was regarded as a symptom of domination to which a sovereign state ought not to be subject. The question having been discussed with much warmth and at great length, the propositions of the United States were finally accepted, November 25th, and a law passed to that effect.[21] By this act Texas waved her fictitious claim to about 98,380 square miles of the territory of New Mexico.[22]

[21] After reciting the provisions of Pearce's bill, it is declared in the act, '1st. That the state of Texas hereby agrees to and accepts said propositions; and it is hereby declared that the state shall be bound by the terms thereof, according to their true import and meaning; 2d. That the governor of this state be, and he is hereby requested to cause a copy of this act, authenticated under the seal of the state, to be furnished to the president of the U. S., by mail, as early as practicable.' *Gouge, Fisc. Hist. Tex.*, 179.

[22] The claim of Texas to Santa Fé and district was as unwarrantable as the earlier claim of the U. S. that the Rio Grande was the boundary line of Mexico. Yet Texans and Texan writers still regard it as a legitimate one. Thrall, page 367, says: 'It will be seen that Texas sold 98,380 square miles, equal to 56,249,640 acres. Had Mr Clay's bill passed, we should have lost much more.' It is not easy to perceive how Texas could lose what she never had. On the boundary question consult *Niles' Reg.*, lii. 241; liii. 180, 306; liv. 180–5; lv. 118, 304; lvii. 1, 65, 280; lviii. 99, 227, 274; lxxv. 156–7; *U. S. H. Ex. Doc.*, cong. 25, sess. 1, doc. 42; *Mex.* Treaties, i. no. 6; *Cong. Globe*, 1838–9, 98–9, 109–10, 219; *U. S. Repub. of*, 269; *Mayer's Mex. Azt.*, i. 334–6; *Gallatin's Peace with Mex.*, 15–25; *Hunt's Merch. Mag.*, xix. 328; *Rusk's Speech*, 1850; *Mason's Speech*, May 27, 1850; *McLean's Speech*, June 5, 1850; *Gratton's Civ. Amer.*, ii. 269–70; *Thrall*, 361–7. It may be argued that the U. S. seemed to recognize to some extent the claim of Texas to the eastern half of New Mexico. Such was not the case; the speakers in the debates on the boundary bill generally disclaimed all right of Texas to the territory of Santa Fé. Moore of Pennsylvania expressed the general opinion when he said that not one dollar would he vote as a remuneration for the territory which Texas claimed; but that that state having been annexed to the U. S., which took all her means of revenue, they were responsible for her debts. *Gouge, ut sup.*, 177–8.

This matter having been settled, the $5,000,000 was paid into the state treasury in February, 1852. The amount of the indebtedness of the late republic had been determined previously by the state. According to the report of the auditor and comptroller, dated November 12, 1851, the ostensible indebtedness of Texas was $12,436,991, including interest. But the state, in view of the low price at which a large portion of the bonds issued by the republican government had been sold, did not consider itself bound to pay their full face value. It is here necessary to take a retrospective glance at the action taken by the state government in this matter.

The first legislature met at Austin, February 16, 1846, and gave its attention to the subject of the public debt. A select committee was appointed, and sent in its report March 1, 1846. This committee stated that there was no other means of paying the public creditors than by the sale of the public lands, and recommended that these be sold to the United States' government. So much with regard to the question of means at that date; respecting the amount to be paid, however, the committee were of opinion that Texas should only be bound to return to her creditors what, according to just average, they had paid for her securities, with interest at the rate stipulated in the bond. On March 24th a committee of the state senate made a report in favor of selling the public lands to the federal government, but expressed the opinion that there should be a legislative classification of all debts against the extinct republic of Texas, and that each creditor should be awarded relief and payment according to the merits of his case.[*] The committee accordingly sent in the draft of an act to classify the liabilities of the republic of

[*] "For your committee cannot consent that the parties who have advanced cash and important services to Texas shall be placed on equal footing with those who hold the liabilities of the republic of Texas, for which they have paid not more than twenty cents on the dollar, and for which Texas received perhaps a less amount, as it is notoriously and universally admitted

Texas and of another entitled an act for the discharge of the public debt of the republic of Texas, in which the scaling principle was to operate.

The stand taken by the first legislature that a distinction should be made between the original and final holders of Texan bonds was maintained by the second legislature, which assembled at Austin in December 1847. On March 20, 1848, an act to provide for ascertaining the debt of the late republic of Texas was approved.[24] This act required the auditor and comptroller of the state to reduce all claims to the actual par value which was realized by the republic. Accordingly on December 27, 1849, the auditor and comptroller sent in their report with the scale of reductions as estimated by them, and a more thorough one November 12, 1851.[25] According to their showing the claims filed of all descriptions, including interest up to the latter date amounted to $9,647,253, which amount was scaled down to $4,807,764. The claims not filed, including interest, amounted to $2,789,738, and were scaled down to $2,019,514. Thus the total debt with interest, including filed and unfiled claims, was $12,436,991, which amount was scaled down to $6,827,278.[26] In January, 1852, the

that a great portion of the liabilities now in circulation were issued and paid out at about sixteen cents on the dollar.' Extract from committee's report in *Gouge, ut sup.*, 153.

[24] A supplementary act was passed Feb. 8, 1850, extending to the first Monday in September, 1851, the time within which creditors were required to present their claims against the late republic. *Tex. Gen. Laws*, iii. pt i., 144.

[25] John M. Swisher was auditor and James B. Shaw comptroller. The latter was appointed comptroller, under the republic, in 1840, and continued to hold that office till Nov. 1, 1858. Shaw was a native of Ireland, emigrated to Texas in 1837, and served as a private in the army. His knowledge of the financial affairs of the republic was of great service in the adjustment of the public debt. *Córdova's Tex.*, 102; *Tex. Col. Doc.*, no. i, 3, pp. 48, 62.

[26] The claims were divided into three classes: 1st class consisted of audited or ascertained claims, $8,587,132; 2d class, of claims sufficiently authenticated to admit them to audit under the laws of the late republic, $962,445; 3d class, claims not sufficiently authenticated to authorize their being audited, $97,675. The following table will be found useful as showing the different issues of bonds by the republican government, and the scale on which their face values were reduced:

legislature passed a law by which the state recognized and adopted the rate of payment and classification assigned to each class of debt by the auditor and comptroller in their last report. The bill was sent to Governor Bell on the 23d of the same month, and on the 29th he returned it on the ground that he considered that there existed cases of individual hardship to which an application of the general basis would not render justice. Nevertheless, in spite of the governor's veto the bill was passed in the senate by a vote of 29 to 5, and in the house by a vote of 47 to 12. Thus the state finally decided the amount of her indebtedness by repudiating to the extent of one half the liabilities which she had engaged to meet according to the face of her bonds.

At the September election in 1853, Elisha M. Pease[1] was chosen governor, and David C. Dickson

	OSTENSIBLE VALUE	RATE	PAR VALUE
Ten per cent. bonds under act of June 7, 1837	632,526	70 cts.	442,768
Ten per cent. bonds under act of June 7, 1837, for relief of Swartout	7,970	1.00	7,970
Ten per cent. funded debt, under act of Feb. 5, 1849	754,000	.30	226,200
Eight per cent. funded debt, under act of Feb. 5, 1849	24,280	.30	7,284
Eight per cent. treasury bonds, under act of Feb. 5, 1849	766,800	.20	153,360
Ten per cent. treasury notes, under act June 9, 1857	41,630	1.00	41,630
Ten per cent. treasury notes, second issue	331,371	.50	165,685
Treasury notes, without interest, under act of Jan. 19, 1839	1,828,192	.25	457,048
Ten per cent. bonds, for loan of U. S. Bank	457,380	.8745	400,000
Ten per cent. bonds, for purchase of Steamer Zavala	195,907	.50	97,953
Ten per cent. bonds, for purchase of naval vessels, contract with F. Dawson	280,000	.50	140,000

The above figures represent values without interest. A copy of the report will be found in *Gouge*, 304–11.

[1] A native of Connecticut, born in 1812, and a lawyer by profession. In 1835 he went to Texas, and was appointed secretary of the executive council at San Felipe. During 1836–7 he held several positions under the government. Resigning the comptrollership of public accounts in the latter year, he began to practise his profession in Brazoria county. He was a member of the house of representatives of the 1st and 2d legislatures, and was transferred to the senate of the third legislature. At the end of his second adminis-

lieutenant-governor.[28] Pease was reëlected in 1855, thus holding office for four consecutive years. In his first message to congress, he recommended that measures should be adopted to provide adequately and permanently for the support of public schools,[29] and for the establishment of a state university. He also advised the establishment of asylums for lunatics, orphans, and for the education of deaf-mutes and the blind.

The period of Pease's administration was one of great prosperity. After the annexation, emigrants from the United States flocked into the country, and the war with Mexico having decided forever the position of Texas, and secured the prospect of uninterrupted peace, every branch of industry thrived; wealth and population rapidly increased, and progress in commerce and internal development was marked in an unprecedented degree

The only interference to this steady advance was occasioned by Indian depredations on the frontiers. Though the main body of each border tribe professed friendship, the outlying settlements sustained considerable damage, especially on the western frontier. These depredations were committed for the most part by the Comanches, who, while showing no disposition to attack the Texan settlements directly, made frequent inroads into Mexico, and on their journeys to and from that country could not desist from foraging in Texan territory, and pillaging settlements. On

istration, he took up his residence at Austin, and in 1867 was appointed governor by Gen. Sheridan on the removal of Gov. Throckmorton. In 1874, he was appointed collector of customs for Galveston, which office he did not accept. In 1879 he was reappointed to the same position, and took charge of the custom-house Feb. 1st of that year. *Thrall*, 598; *Cordova's Tex.*, 101–2.

[28] The total number of votes cast was 36,152, of which Pease received 13,091, W. B. Ochiltree 9,178, George T. Wood 5,983, Lemuel D. Evans 4,677, T. J. Chambers, 2,449, J. W. Daney 315, and 459 were scattered. Gov. Bell having been elected to the U. S. congress, the executive chair was filled by J. P. Henderson for a short time at the close of his term. *Thrall*, 368.

[29] By the constitution, ratified by the people Oct. 13, 1845, one tenth of the annual revenue by taxation was to be appropriated for the maintenance of public schools.

several occasions, white men were killed and captives taken. The military being unable to afford protection all the roads leading from Béjar to the Rio Grande were unsafe. On the northern frontier, the Texan Indians were all friendly, but that portion of the state was exposed to hostile incursions made by Indians from the Choctaw and Chickasaw United States' reserve, north of Red River. The Kickapoos were especially troublesome, and from time to time crossed into Texas and committed depredations. In the spring of 1854 a band of this tribe killed the special agent, Stein, and a Mr Lepperman of Ohio, near Fort Belknap. The special Indian agent at San Antonio de Béjar invoked the action of the commissioner for Indian affairs at Washington, touching this condition of affairs.[10]

Owing to the advance of the white race, and the diminution of the buffalo and other game from which the native tribes mainly derived their subsistence, the Texan Indians were in danger of being reduced to a state of destitution. This condition applied to all Indians of the plains, and was regarded as the main cause of the outrages committed by roving bands within the borders of Texas.

As a remedy for this evil, a system of colonization was applied, means being furnished by the United States government to aid and instruct Indian settlers in the cultivation of land. In pursuance of this policy in the spring of 1855 two Indian colonies were established in Texas, on reservations granted by the state in Young county,[11] one of which, consisting of eight leagues of land, was located on the Brazos river, below the junction of Clear Fork and Main Brazos, about fifteen miles from Fort Belknap. This

[10] Robert S. Neighbors, the agent, considered that the Kickapoos were not under the charge of the Choctaw agent, but existed as renegades, and were under no control. *Ind. Aff. Rep.*, 1854, 153-66; *Id.*, 1855, 10-11, 185-6.

[11] Twelve leagues of land, or 55,728 acres, were set apart for this purpose by act of the legislature, to be reserved to the U. S. for the benefit of the Texan Indians exclusively. *Tex. Laws*, 1853, 130; *Id.*, 1858, 92.

reservation was called the Brazos agency. The other settlement was located on Clear Fork, about forty-five miles above its confluence with the main river. It comprised four leagues of land. The first colony was composed of Anadahkos, Caddoes, Tahwaccorroes, Wacoes, and Tonkahwas, numbering in all 794 souls. On the reservation on Clear Fork, 277 northern Comanches were settled. The reports of the agents at these reservations held out every prospect of success. The Indians of the Brazos settlement, in good behavior, morality, and industry, surpassed the most sanguine expectations. They voluntarily abstained from the use of ardent spirits, and drunkenness was unknown among them. By the end of August public buildings had been erected—store-rooms, houses for agents and employés, and a blacksmith's shop. Two farmers with assistant laborers were employed to instruct the Indians, and 295 acres of land had been ploughed and planted with corn. On the reservation on Clear Fork farming operations had not been commenced, owing to the season being too far advanced when the Comanches were located thereon, but from the disposition evinced by them, the agents looked confidently forward to the success of the settlement.[32]

Nor were these expectations without realization. Within three years' these settlements attained a high degree of prosperity, especially that of the Brazos agency.[33] The Indians tilled their land, tended and garnered their crops, and possessed stocks of cattle, horses, and hogs. They erected comfortable dwellings, had school-houses,[34] and were steadily pro-

[32] Reports of agents, R. S. Neighbors and G. W. Hill in *Id.*, 1855, 177–85.

[33] The Comanches did not make the same progress as the Indians on the Brazos reserve, owing to their not having had the same experience in the manners of the white race. They were not more indolent than the other tribes,—but whereas the latter had long lived near the white settlers, the Comanches had hitherto been outside of all friendly intercourse. *Tex. Alm.*, 1859, 130.

[34] According to the reports of the teachers, Aug. 18, 1858, the school in the Comanche settlement was attended by 37 students, 25 male and 12 female. On Sept. 7, 1858, the teacher of the school at the Brazos agency, re-

gressing in civilization, peaceably pursuing their agricultural occupations. Moreover, they afforded no little protection to the frontier, from fifty to one hundred warriors being employed in ranging service. In the spring of 1858 this band went out with the Texan rangers, on an expedition against the Comanches, and fought gallantry, thereby winning the praises of their Anglo-American neighbors. Had they been allowed, and a proper forbearance been extended to them, they would have developed into thriving and self-supporting communities.[a] But they were doomed to be driven from the homes they had made for themselves, deprived of the lands they had put under cultivation, and removed, in almost a destitute condition, beyond the borders of Texas. The aggressive nature of Anglo-American settlers would not let them rest in peaceful possession of their small domains; and a persistent hostility to these Indians and their agents soon exhibited itself.

In 1858 the number of these natives thus reclaimed from barbaric life was 1,483. Among this number it cannot be denied that there were many, particularly in the Comanche reservation, who were addicted to horse-stealing, and who associating with wild bands of their tribe, or with the Kickapoos beyond Red river, took part in predatory incursions, and afterward, by circuitous routes, reëntered the reservations. There was, moreover, a set of villainous white men, scattered from the Rio Grande to Kansas, who made robbery their pastime, and horse-stealing their business. These wretches leagued themselves with the worthless Indians, instigating them to commit depredations from which they reaped a profit. Positive

ported the number of his scholars at 69, 47 of whom were boys and 18 girls. *U. S. Ind. Aff. Rept.*, 1858, 178-9, 183.

[a] The U. S. gov't expended on account of these Indian settlements:

For the fiscal year ending June 30, 1856, $101,430; 1857, $89,658.50; 1858, $60,702.50; 1859, $61,655.25; total, $344,451.25.

The estimate for the year ending June 30, 1860, was $62,186.50; *Id.*, 1859-1878 inclu.; where full information on the progress of these colonies will be found.

proof was adduced that Indians from the reserves during this year killed cattle and hogs belonging to citizens, and the strongest circumstantial evidence seemed to show that the practice of horse-stealing had been extensively carried on by these vicious members.[36] But the large majority of the community were faithful to the white inhabitants. Nevertheless, the crimes of the few were visited on all. In the counties adjoining the reserves the unreasonable opinion was expressed by a portion of the settlers that all depredations were committed by the Indian colonists. In fact it was determined to get rid of them by some means, and an organized conspiracy against the Indian policy of the general government seems to have been formed for the purpose of breaking up the Texan reservations.

The Indians had been in the habit of making hunting excursions outside their reservations under permits issued by the agents. But designing men so prejudiced the public mind against the reserve Indians, by attributing to them the depredations of the unsettled Comanches and other native tribes, that under threats of extermination they had been compelled to confine themselves during 1858 strictly to the reservations. In the autumn of that year, however, several hunting parties ventured beyond the limits. And now was planned and perpetrated as cold-blooded and brutal a massacre as ever disgraced a civilized people. In a bend of the Brazos, just above the mouth of Keochi creek, a party of Indians, men, women, and children, encamped. Here they remained for several weeks, engaged in hunting, conducting themselves peaceably, and offering no molestation to the white settlers, who visited their camp on several occasions. On December 21st, between forty and fifty men, mostly of Erath county, assembled in conclave on Bosque river to consult upon a general extermination policy. A com-

[36] Report of Peace Commissioners to the governor, June 27, 1859. *Id.*, 1859, 297–303.

mittee was appointed, which proceeded to organize a company, the command of which was given to Peter Garland.[1] Then the order was issued to kill any Indians found south of Cedar creek. The company proceeded to the Indian camp on the Brazos, which contained eight men, eight women, and eleven children. Having stealthily approached, at early morn of December 27th, while their victims were sound asleep, they poured into them a volley of buckshot and rifle-balls. Seven were killed outright, of whom three were women; three men, two women, and three children were severely wounded, and nearly all the rest more or less injured. One warrior, after being struck by a bullet, seized his gun, and rushing outside of his tent, shot Samuel Stephens dead, to fall himself almost at the same moment, struck through the brain. The wounded succeeded in escaping to the reservation. On their return, as the murderers passed through Golconda, in Palo Pinto county, they told the citizens of that town that "they had opened the ball, and the people there should dance to the music."

This atrocity naturally caused great excitement. The exasperated Indians threatened vengeance on the perpetrators; a proclamation issued by the governor, denouncing the act, and warning all persons against joining organizations for hostilities against the friendly Indians, was without effect. The press published biased accounts and inflammatory articles on the subject, and meetings of citizens were held at various frontier towns, resolutions being passed that the Indians must be removed."[2] In the surrounding counties

[1] The names of the others, doomed to immortal infamy, were Daniel Thornton, J. Hightower, E. Fireash, T. Willis, W. E. Motheral, W. W. McNeal, Robert Duval, J. P. Harris, W. Fitzgerald, A. L. Beaw, B. Depay, W. J. F. Lowder, W. Wood, J. Barnes, B. Highsaw, J. R. Waller, George Barden, Samuel Stephens, and one Dalton.

[2] An idea of the spirit that prevailed at these meetings may be formed from a resolution passed by the citizens of Weatherford, June 24, 1859. After stating that they "believed" that certain outrages had been perpetrated by the reserve Indians, they pledged themselves to act in concert with other counties in any action necessary for the removal of them, "whether the same be over Jordan or Red River."

bands of armed citizens were organized, and scouted round the reservations. Tame Indians found outside the limits would not, it was declared, be known from wild ones, but would be killed. The removal was peremptorily demanded, under threats of extermination. In vain the agents endeavored to avert the blow; their action caused offence to the citizens of the frontier, who, on April 25, 1859, boldly demanded their immediate resignation. All they could do was to postpone the exodus for a time, aided by the presence of a detachment of the United States troops. On May 23d, Captain Baylor, the ex-agent, at the head of 250 armed men, marched upon the Brazos reservation with the avowed intention of attacking the Indians. Captain Plummer, 1st infantry, warned him to leave the reservation, and he departed the same day. A skirmish occurred with the Indians, and several on both sides were killed and wounded.[39] That the Indians could not remain in Texas was no longer a matter of doubt; and on the representations of the agents, and the pressing instance of the state authorities, the department at Washington, in order to avoid bloodshed, issued an order to break up the reservations as soon as the standing crops could be harvested. But this did not satisfy the frontier men; they peremptorily demanded the immediate removal of the Indians, and at the urgent request of the supervising agent, R. S. Neighbors, permission was given him to conduct them at once beyond Red river. The evil passions of the white people, however, were thoroughly aroused. One hundred men of the state troops had been sent by the governor to the Brazos reservation to preserve order, but these even displayed an attitude hostile to the Indians, while the bands of armed citizens threatened to attack them on their march. It became necessary to call in the aid of the United States army, and on July 30th and August 1st, the unhappy exiles from both reservations, under

[39] *U. S. Sen. Ex. Doc.*, cong. 36, sess. 1, ii. 372–3.

strong escorts of infantry and cavalry, and accompanied by the agents, left their homes for the new location which had been assigned to them on Washita river. On August 8th, they crossed Red river, and on the 16th arrived at their destination. The number of Indians thus removed by the pressure of a popular outbreak, fomented to a great extent by the unreasonable clamor raised by unprincipled men, was 1,415, of whom 380 were Comanches.[40] Owing to the unremitted persecution on the part of their white foes, the exiles were compelled to leave their cattle behind, it being impossible even to collect them. As a climax to this practical illustration of Lamar's principle of expulsion or extermination, Superintendent Neighbors, having returned to Texas in September, was waylaid on the 14th near Fort Belknap by a man unknown to him, and shot. He died in twenty minutes after being fired upon, and it was believed that the crime was perpetrated on account of the free opinion expressed by Neighbors relative to the killing of a reserve Indian some time previously.[41]

During the administration of Governor Pease a final adjustment of financial questions between the state and the federal government was arrived at, and a settlement made with the creditors of the old republic. The bond-holders had not been satisfied with the terms offered them under the state law of January, 1852, and little or nothing was done toward the liquidation of their claims before 1855. Matters became still more complicated by an additional claim raised by Texas against the federal government. By

[40] According to the census rolls, there were, in the May preceding, 1,492 souls on the two reservations, viz.: 258 Tonkahuas, 204 Tahwaccarus, 171 Waccos, 244 Caddoes, 235 Anahdahkoes, and 380 Comanches. *U. S. Ind. Affairs Rep.*, 1859, 267.

[41] The official correspondence and full particulars relative to the removal of the Texan Indians will be found in *Id.*, 1859, 5-6, 220-334, and *U. S. Mess. and Doc.*, cong. 36, sess. 1, pt. i, 588-702. In June 1860, a law was passed appropriating $45,650 for the expenses of recolonizing these Indians during the fiscal year ending June 30, 1861. *Cong. Globe*, 1859-60, app. 486.

the terms of an old treaty the United States were under the obligation to prevent Indians making predatory incursions into Mexican territory.[42] On the strength of this treaty it was claimed that the United States was responsible for the expenses incurred during the days of the republic in protecting the frontier against inroads by savages from United States' territory. It was argued that Texas at the time this treaty was made was a part of Mexico, and that although she separated from that country soon afterward by revolution, that fact did not obliterate the obligations of the treaty. In July 1854 Thomas J. Rusk, senator from Texas, brought this view of the case before the senate, maintaining that as more than one half of debt of Texas had been expended in protection against Indians, the United States ought to provide a sum sufficient to pay off the debt in full. After quoting extracts from diplomatic correspondence in support of the views taken by Texas, he introduced a statement made out by James B. Shaw, comptroller, showing that the late republic had expended from December 5, 1836, to February 1, 1845, the sum of $3,815,011 exclusive of interest, in protecting the frontier from incursions of Indians belonging to the United States.

Meantime the creditors of Texas had appealed to the United States for payment of their claims, alleging that the general and not the state government was liable. Under these circumstances the United States' government intervened. The scale of reduction adopted by the state law was cast aside, and a bill passed by congress was approved February 28, 1855, by which it was provided that $2,750,000 should be added to the $5,000,000 lying in the treasury pertaining to Texas, and that the whole sum of $7,750,000 should be apportioned pro rata among the creditors; any portion of the debt that had been

[42] Thirty-third article of the treaty with Mexico of April 5, 1831. *Cong. Globe*, xxviii., pt iii., p. 1808–9.

already paid by the state of Texas should be refunded to her; no payment would be made until the claimant filed a receipt in full releasing forever the United States from all claim against them. The act was not to take effect until it had been assented to by the legislature of the state of Texas, and until the same legislature passed an act abandoning all claims and demands against the United States, growing out of Indian depredations or otherwise.[43]

By this pro rata system of payment each creditor would realize seventy-eight cents on the dollar.[44] Three classes of bonds, as scaled by the state's law, would have yielded more than this,[45] and the holders were consequently dissatisfied.[46] By the people of Texas the bill was received with great disfavor, and when called upon by proclamation of the governor to vote upon it, out of 45,000 voters 19,573 refused to cast their votes; 13,818 voted against accepting the bill, and 11,609 voted for it.[47] It was, however, finally passed by the state legislature, and the creditors, who were secured by a pledge of the import duties of the extinct republic, on filing their receipts in the treasury department of the United States received their pro rata payments. The sum of $299,602 was refunded to the state in consideration of Texas' having already paid that portion of the debt.

[43] Copy of the act will be found in *Hunt's Merch. Mag.*, xxxii. 485.

[44] *Tex. Journal Sen.*, 1857, 140.

[45] Namely, 10 per cent bonds, June 7, 1837 (Swartout), allowed at face par; 10 per cent bonds for loan from U. S. Bank, scaled at $.8745; and 10 per cent treasury notes, June 7, 1837, allowed at face par. In *Id.*, xxxiii. 82, a tabular form is supplied exhibiting the rate of adjustment established by Texas and the rate proposed in the above act of the United States congress. It should be remarked that the state legislature passed an act February 11, 1850, declaring that all liabilities of the late republic should cease to draw interest from and after the first day of July, 1850. *Gouge, ut sup.*, 108. Interest, therefore, was only calculated to that date.

[46] Governor Pease in his message to congress, Nov. 2, 1857, recommended that the state should, out of the sum refunded to Texas by the U. S., pay these creditors the difference between the amounts which they received under the above act of congress, and those at which their claims were rated and classified by the state law, in all $123,217. The committee appointed to consider the question reported unfavorably to the proposition. *Hunt's Merch. Mag.*, xxxviii. 468; *Tex. Journal Sen.*, 1857, 17-18, 139-42.

[47] *Thrall*, 371.

The reader, doubtless, will wish to learn how the $5,000,000 in United States' bonds paid into the state treasury were employed. In order to dismiss this subject, once for all, it will be better to give a succint account of the financial condition of the government up to the time of the final exhaustion of those funds in 1861.

From 1852 to 1858 nine tenths of the taxes collected were remitted to the several counties to enable them to build court-houses and jails; the remaining tenth being set apart by the constitution for the support of schools was paid into the treasury. The rapid progress that was being made in Texas during this period will be perceived by a comparison of the amount of taxes collected in the two consecutive years 1856 and 1857. In the first named year the valuation of the property assessed was $161,304,025, which produced $242,964 in taxes; the poll tax yielded $22,413; and those on occupations and sales of merchandise $28,993, making a total of $294,370. The net proceeds received, after deducting the ten per centum for the school fund and the expenses of assessing and collecting, amounted to $229,289. The corresponding figures for 1857 were: assessments of property, $183,594,205; taxes on the same $276,663; poll tax $24,463; other taxes $26,940. The net yield after making the same deductions was $255,044, showing an excess of more than $25,000 net, over the proceeds of the previous year. Had the incomes not been relinquished to the counties, they would have about covered the ordinary expenses of the government.[48] As it was the expenses had to be paid, during the period from 1852 to 1858 inclusive, out of the $5,000,000 United States bonds.

As the bonds bore an interest of five per centum, the state received up to January 1861, interest to

[48] Comptroller's report for 1856 and 1857 in *Cordova's Tex.*, 336–7. Compare governor's message in *Tex. Journal Sen.*, 1857, 14–16; *Thrall*, 375, where will be found an extract from Pease's message of Nov. 1855.

the amount of $1,625,441, making the total receipts of principal and interest, $6,625,441, which sum is thus accounted for. By act of February 16, 1852, $336,000 were transferred to the school fund to reimburse it for state bonds destroyed. By act of January 31, 1854, $2,000,000 were donated to the same fund,[*] and at subsequent dates interest and premium on the bonds were paid to the amount of $653,619. Again by act of February 11, 1856, $100,000 were transferred to the university fund, and interest paid on the same up to January 1861, amounting to $9,472. Besides these sums, $1,425,296 were disbursed in payment of certain debts of the late republic—for it must be borne in mind that the state had other liabilities than those assumed by the United States, which only became responsible for claims that were secured by a pledge of the impost and tonnage duties of the late republic. The remaining $2,401,054, together with the premium derived from the sale of the bonds, were used for the general expenses of the government from 1852 to 1861 inclusive, appropriations being made for the establishment of an insane asylum, and institutions for the education of the blind, and the deaf and dumb. In 1858 and 1859 the receipts from taxation were not sufficient to meet the expenses of the state government, and United States bonds were expended to the amount of $443,000. The remainder of the bonds were used in 1860 and 1861, besides $100,000, transferred from the university fund.[**]

The general feeling toward the Mexican population was one of intense animosity in those counties where they were more thickly congregated. The inhabitants of that race were mostly of the lower orders, and were charged with associating with the slaves,

[*] By a law of 1856 the ten per centum of taxes set apart for school purposes was blended with the $2,000,000, and one general school fund formed.

[**] Comptroller Clement R. Johns' report of Sept. 1, 1859, No. 3 in *Tex. Ex. Doc.* No. 1; *Governor's Message* of June 10, 1873, app., 18–19. Treasurer's report of Aug. 31, 1860, in *Tex. Almanac*, 1861, 248–9; *Tex. Rep. Comptroller*, Aug. 31, 1870, 6–7.

and frequently stealing horses and carrying off negro girls to Mexico. In the autumn of 1856 a dangerous negro conspiracy was discovered in Colorado county, which contemplated a simultaneous insurrection, and the massacre of the white population, with the exception of their young women, who were to be made captives. The slaves had formed an organized plan, adopted secret signs and passwords, and provided themselves with bowie-knives and some fire-arms. Their intention was, after having accomplished the first part of their plot, and obtained possession of the horses and arms of their intended victims, to fight their way into Mexico, or the "free state," as they called that country. On the detection of the conspiracy more than 200 negroes were severely punished with the lash—two being whipped to death—and three prominent ring-leaders hanged on September 5th. It was maintained that every Mexican in the county was implicated in this intended uprising, and they were ordered to leave and never return, under penalty of death. In Matagorda county, also, a popular meeting was held, and every Mexican ordered to leave.[51]

In 1857 much trouble was caused by the perpetration of numerous acts of violence by Texan wagoners on Mexican cartmen. In the transportation of goods from the sea-ports to San Antonio, the freight rates charged by the latter were so low as practically to drive the Texan teamsters from the field of competition. As the Mexicans were thoroughly trustworthy, and generally made better time than their rivals, the merchants naturally employed them in preference to paying higher rates to carriers of their own race. This gave umbrage to the Texan drivers, who proceeded to form secret organizations for the purpose of ousting their competitors from the road. A system of the most outrageous persecution followed.

[51] Extracts from the *Galveston News*, and *True Issue*, in *Olmsted's Journey*, 502–4.

Bands of masked men way-laid the Mexican wagon-trains, destroyed the wheels, drove off the oxen, murdered cartmen, and often pillaged the freight, carrying off valuable cargoes. This practice was carried on to such an extent that General Twiggs, the United States commander at San Antonio, was compelled to protect with a military escort trains transporting government supplies. About the end of July, a train was attacked by night and three Mexicans wounded: in September following the cartmen of another train were fired upon by masked men, one man being killed and three wounded: and again on November 21st two more were killed.

In October the Mexican minister at Washington addressed the United States government on the matter, stating that he had been assured that the number of men thus murdered was no less than seventy-five, and that the persecution directed against Mexicans had compelled many to abandon their homes in San Antonio and elsewhere, and seek refuge on Mexican territory in a state of destitution. On November 11th and 30th, Governor Pease addressed special messages to the legislature on the subject, in which after making particular mention of the three cases above mentioned, and denouncing such acts of violence, he remarked that it was evident that there was no security for the lives of citizens of Mexican origin engaged in the business of transportation, unless they were escorted by a military force. As the counties in which these deeds were perpetrated, took no trouble to put a stop to them, he invited the legislature to consider whether their citizens should not be compelled to pay a heavy penalty, which would arouse them to the necessity of preserving the public peace.

The senate referred the matter to the committee on state affairs which on December 1st reported the necessity of a bill to establish a penalty, and provide for the punishment of those who unlawfully combined

to prevent people from engaging in lawful employments, and that such a bill was being prepared by the committee. It does not appear, however, that any further action was taken. Meantime the governor had called into service a volunteer company, which proceeding was approved by the legislature. This force proved inadequate to suppress the lawlessness, and other means were brought to bear upon the malefactors. When the road was abandoned by the Mexican cartmen, and booty became scarce, they began to commit depredations on the property of citizens. However indifferent the people had been to outrages perpetrated on Mexicans, they now energetically took the matter in hand. Lynch law was vigorously applied, and in the neighborhood of Goliad the passing traveller would see many a corpse suspended from the boughs of the black oaks. The diabolical organization was thus speedily broken up, and this system of murder and robbery—which was dignified by the name of the Cart War—was brought to an end.[52]

Political parties, strictly so called, were first organized in Texas during Pease's administration. The party factions opposed to each other in the days of the republic were of a personal rather than of a political nature. Being in reality the offspring of the rivalry between prominent men, they did not originate from differences in political opinions, but merely supported their respective leaders in their candidateship for office, without being materially influenced by principles of policy. When, however, Texas was annexed to the union, under the auspices of the democratic party, she soon became involved in the political antagonism which prevailed in the United States. Her constitution was framed on the principles of democracy, and during the first years of her existence as a state,

[52] *Id.*, 1857, 82, 96, 145–6, 154–5, 158–60, 171–2, 186; *Mex. Informe Comis. Pesq.*, 1873, 73–4; *Linn's Reminis.*, 352–4; *Thrall*, 372.

candidates for office were elected on personal considerations. When the disruption of the great national whig party occurred in 1854, the abolitionists of the north gained thereby large reënforcements, which were supplemented by defections from the democratic ranks of members who thought they had cause to be displeased with President Pierce's administration. At this time what was called the "native party" whose principles were opposed to naturalized foreigners holding office, was in a moribund condition; but it was now resuscitated, and undergoing a kind of metempsychosis, developed into the know-nothing party. By this later organization, the creed of the old native party was enlarged, and made to include proscription of Roman catholic citizens, while the opposition to naturalized aliens was intensified. The know-nothings cast over their proceedings a cloak of mystery. They constituted, in fact, a secret political society; applied tests of a religious character, and endeavored to pit the different races against each other. All these principles were contrary to the constitution of the United States. In Texas, the know-nothings for a short time acquired considerable influence. Numerous lodges were organized, and in 1855 L. D. Evans was returned by the party to congress from the eastern district. On the reëlection of Pease the same year, he was opposed by their candidate, Dickson, who obtained no less than 17,268 votes, being between 4,000 and 5,000 more than had ever before been cast for governor. However, on their failure to elect their candidate, the career of the know-nothings in Texas was brought to a close. The unconstitutionality of their doctrines, and the violence to civil and religious liberty entailed in their intolerant principles were denounced by their more enlightened opponents;[*]

[*] Prominent among their opponents was Anson Jones, who states that he "wrote upwards of fifty articles for the *Ranger*, and other Texan newspapers, in opposition to know-nothingism, and the various isms associated with it, omitting no opportunity to strike at the hydra which offered." *Letters, etc.*, 320–42. Consult also, *Thrall*, 370–7; *Lion's Remains*, 364–6.

the democratic party called upon the people in the name of liberty and the constitution to discountenance the secret organization, and their influence rapidly waned.

In 1857, Texas was called upon to mourn the loss of two men conspicuous for their services during the revolutionary struggle—Thomas J. Rusk and James Hamilton of South Carolina.

Thomas Jefferson Rusk, whose earlier biography has been already given,[54] migrated to Texas in 1834, and having distinguished himself in the war of independence, subsequently held the command of various expeditions against hostile Indians. In 1839, he was appointed chief justice of the republic, but soon resigned that position, retired to Nacogdoches, and resumed his practice as a lawyer. In 1845, he was chosen president of the annexation convention, and on the incorporation of Texas into the union was elected at the first session of the state legislature to the United States senate. This position he held till the time of his death in 1857. In 1856, Rusk lost his wife, while he was in Washington engaged in his senatorial duties. This bereavement deeply affected him, and on his return to his home he was prostrated by a serious illness, his recovery from which was slow. Enervated in mind and body, and afflicted by a tumor on his neck which probably affected the brain, he took his own life at Nacogdoches, July 30, 1857.

Rusk was a man of rare qualities, and took a prominent part in the United States senate. He was a statesman of a high order, energetic, and possessed of a mind of great clearness and strength. Of remarkably sound judgment, supported by wide experience, he had an accurate and extensive knowledge of mankind. And his wisdom and talents were equalled by his virtues—courage, honesty, and truth being his marked characteristics. Insensible to adulation, he never stooped to flattery. In his intercourse with

[54] See note 39, chap. viii., this vol.

men, he did not affect dignified importance, but was accessible to all; and it was a habit of his to converse with men in the humblest stations in life as freely as with those in the highest, while his sympathy for the unfortunate or oppressed, and his love of justice and candor won for him the respect and affections of every class. Uninfluenced by selfish motives and by personal ambition, he labored in the senate for the aggrandizement of the nation at large, and the promotion of its general welfare. In just recognition of his loss, and as a mark of respect, the United States congress wore the usual badge of mourning for thirty days.[55]

General James Hamilton was a native of South Carolina, of which state he was governor. In the struggle of Texas for independence he boldly advocated her cause, and gave both his services and means in her support. As member of the senate of South Carolina he powerfully upheld the purity of the revolutionists' motives, and devoted himself to the interests of the new republic. He secured the treaty with Great Britain, and negotiated one with the kingdom of the Netherlands. In recognition of his services he was vested with the rights of Texan citizenship by a special act of congress. While engaged, however, in his service as diplomatic agent of Texas in Europe he became involved in embarrassments which eventually ruined him. In 1857 Hamilton sailed from New Orleans for Galveston in the steamship *Opelousas*, in the hope of obtaining indemnification for his losses and of retrieving his fortune in the country for which he had done so much. The vessel was wrecked on her passage by a collision with the steamer *Galveston*, and Hamilton was one of the victims of the disaster. The state congress went into mourning out of respect to his memory.[56]

[55] *Cong. Globe*, 1857–8, pt i., 331–8; *Tex. Almo.*, 1858, 105–9; *Oakum's Tex.*, 165–7; *Thrall*, 607–11; Gov Pease's message of Nov. 2, 1857, in *Tex., Journal Sen.*, 1857, 38.

[56] *Id.*, 121–2; *Thrall*, 549; *Tex. Almo.*, 1861, 82–3.

On December 21, 1857, Hardin R. Runnels[57]—the successful democratic candidate—was inaugurated governor, having defeated his competitor, Sam Houston, by a poll of 32,552 votes against 23,628 cast in favor of the latter.

When Runnels entered office, symptoms had already made their appearance that the time was rapidly approaching of the great national disruption, which a few years later tore asunder the United States, and deluged the country in blood. On the admission of Missouri into the union as a slave state, Henry Clay introduced into the United States senate, in 1820, a compromise measure which provided that the institution of slavery should be thereafter excluded from all territory lying north of latitude 36° 30′, that line being the southern boundary of Missouri. The adoption of this bill, known as the Missouri compromise, gave rise in time to bitter controversies between the free and slave states, the latter regarding it as an encroachment on the part of the federal government on the constitutional right of future sovereign states to arrange their own domestic affairs.

In 1850 the same statesman submitted to the senate other compromise resolutions designed for the purpose of arranging amicably the controversies between the free and slave states on the subject of slavery. These resolutions declared that congress in establishing territorial governments should impose no restrictions on the people of such territories with respect to slavery. A very memorable discussion followed, which resulted in the passage of bills admitting California into the union as a free state, and in the organization of the territories of Utah and New Mexico without restriction as to slavery. The fugitive slave law was enacted at the same time. Again in 1854, on the establishment of Kansas and Nebraska as ter-

[57] Runnels migrated to Texas in 1841 from Mississippi, and engaged in cotton planting on Red river. He represented Bowie county in the legislature for eight years. During 1853–5 he was speaker in the house. He died at his home in Bowie county in 1873. *Thrall*, 607.

ritories. Senator Douglas, from Illinois, introduced into the bill brought before congress on that occasion, an amendment which virtually repealed the Missouri compromise. The principles of non-intervention by congress with the institution of slavery in the states and territories had clearly been recognized by the legislation of 1850. Supported by the compromise acts of that year Senator Douglas maintained that congress had no right to legislate in the matter of slavery, and that the people of any state or territory should be allowed to decide for themselves questions of their domestic institutions.[*] Both Kansas and Nebraska would have been free territories under the Missouri compromise, but the bill was passed with the amendment, May 25, 1854.

Nevertheless it met with great opposition. Resolutions were passed by the legislatures of various states denouncing it; memorials from abolitionist societies were addressed to congress; and clergymen petitioned for its repeal. Moreover, it was soon apparent that the introduction of slavery into Kansas from the south would meet with violent opposition on the part of the people of that territory. Intense sectional agitation prevailed; and it was regarded as a foregone conclusion that Kansas would be admitted into the union only as a free state, unless some action were taken by the combined south.

Governor Runnels addressed a message, January 20, 1858, to the legislature calling attention to the aspect of affairs in Kansas, and clearly advocating the doctrine of secession. On the 8th of the same month a democratic state convention had been held at Austin, at which it was resolved that there were grounds for the serious apprehension that the doctrine of non-intervention was in danger of being repudiated by the United States congress; and a request was made to the state legislature to provide for the appointment of delegates to a convention of

[*] *Cong. Globe*, xxviii. pt i., 175, 221-2, 239-40, 275.

the southern states on the occasion of one being assembled. But bolder resolutions than these were offered. T. J. Chambers proposed that it should be resolved that any action on the part of the congress of the United States tending to embarrass, delay and defeat the admission of Kansas as a member of the union, under any pretext referable to the question of slavery, would be a usurpation of power and a violation of the compact of the union; that in case of such an event, the representatives of Texas in the United States congress were requested to give notice of the intention of the state to resume her independence and withdraw from the union. Sister states "attached to the benign domestic institution of slavery" were to be invited to join her in that measure.[59]

In response to the governor's message the legislature of Texas, having submitted the subject to the committee on federal relations, passed on February 16, 1858, a joint resolution. In the preamble it was set forth that a violent determination existed on the part of a portion of the inhabitants of the territory of Kansas to exclude by force the citizens of slave-holding states from a just, equal, and peaceful participation in the use and enjoyment of the common property and territory of the confederacy. Whereas this determination, owing to the state of political feeling in the northern states, operating upon the federal government, might become effectual, and the exclusion perpetual, it was resolved that the governor should be authorized to order the election of seven delegates to meet delegates appointed by the other southern states in convention, whenever the executives of a majority of the slave-holding states should express the opinion that such convention was necessary to preserve the equal rights of such states in the union. An appropriation of $10,000 was made to defray the expenses of the delegates, and the governor

[59] *Id.*, cong. 35, sess. 1, 1858, app. 63–4. Governor's message in *Tex. Journal Sen.*, 1857–8, 373–8.

was authorized, in case an exigency arose, in which it would be necessary for Texas to act alone, to call a special session of the legislature to provide for a state convention.[40]

During Runnels' administration Texas continued to progress. Population steadily increased by the advent of new settlers, and with the exception of troubles connected with Indians, as previously narrated, peace reigned within her borders, and the inhabitants pursued their avocations in security. Toward the close of his term a Mexican named Juan N. Cortina began to commit depredations on the lower Rio Grande; but as they were continued at intervals during the administration of his successor, it will be convenient to defer for a time the relation of them.

At the election held in September, 1859, the same two candidates competed for the executive office. Runnels being nominated by the democratic party, Houston ran as an independent candidate, and was elected by a majority of 8,757 votes over his opponent.[41]

[40] *Cong. Globe*, 1857–1858, p. 1000; *Tex. Repd Admis. Kansas*, no. 2, in *Tex. Old. Doc.*, no. 1.

[41] The number of votes cast was 64,027, of which Houston obtained 36,257, and Runnels 27,500. *Thrall*, 379; *Tex. Alm.*, 1861, 215.

JEFF DAVIS MEDAL.

CHAPTER XVI.

CIVIL WAR.

1859–1862.

THE NORTH AND THE SOUTH—HOUSTON'S MESSAGE—REPORTS OF COMMITTEES ON RESOLUTIONS OF SOUTH CAROLINA—KNIGHTS OF THE GOLDEN CIRCLE—SPECIAL SESSION OF THE TEXAN CONGRESS CONVENED—A CONVENTION ILLEGALLY CALLED—SURRENDER OF GENERAL TWIGGS—HOUSTON'S SPEECH AT GALVESTON—TEXAS SECEDES FROM THE UNION—PROCEEDINGS OF THE CONVENTION—HOUSTON DEPOSED—HIS PROTEST—CLARK INSTALLED PROVISIONAL GOVERNOR—INDIAN SETTLEMENT ON TRINITY RIVER—CORTINA'S INSURRECTION—HIS DEFEAT AND FLIGHT—LIST OF SENATORS AND REPRESENTATIVES—COMMENCEMENT OF THE CIVIL WAR—MILITARY OPERATIONS—INVASION OF NEW MEXICO—ITS FAILURE.

THE election of Houston to the executive chair was a victory of the unionist party in Texas over the confederate party. At this time the majority of the Texans were opposed to separation from the union; and though the late governor had been elected by the maneuvering of the democratic party, which won the confidence of the people by its crusade against the know-nothings, they presently became alarmed at the development of the secession intentions of the democratic leaders. In 1858 a vacancy occurred on the supreme bench, and the democrats nominated Buckley, who bore no enviable character, and was of well-known disunion proclivities. He was defeated by an overwhelming majority by Bell, an avowed unionist. In the canvass of 1859 the democratic convention met at the town of Houston; confederate sentiments were expressed in it, and the African slave-trade was held in favor.[1] The democratic party had thrown off the

[1] *Newcomb, Hist. Seces. Tex.*, 4–5. James P. Newcomb was the editor of the *Alamo Express* published in San Antonio. He opposed disunion, and

mask, and the result was the defeat of their candidate by a large majority.

Houston took his seat at a time when intense political excitement prevailed all over the United States. The measures adopted by the legislation in 1850 and 1854, so far from producing harmony, only aggravated political hostility. However conciliatory they might have been to the southern states, they only embittered the feelings of the free-soil party in the north. The non-prohibition of slavery in New Mexico and Utah was regarded by the latter as impolitic and unjust, while the fugitive slave-law, which stringently provided for the arrest and return of escaped slaves, was denounced as unconstitutional and cruel. The Kansas-Nebraska bill of 1854 roused the indignation of the free states, and the ranks of the anti-slavery party thenceforth gained strength daily. By the close of 1859 the opposing factions were uncompromisingly arrayed against each other, and the fire of disruption was already being kindled. Immediately after the passage of the bill of 1854 Kansas became a field of strife between the free-soil and pro-slavery parties, and emigrants from Missouri and the south engaged in deadly contest with settlers from the northern states. The polls were taken possession of by armed bands, and elections were carried by illegal voting. Counter-constitutions were promulgated in turn by antagonists, and for several years the condition of the territory was anarchical. Finally, in July 1859, a constitution prohibiting slavery was adopted by a convention which met at Wyandotte, and was ratified by popular vote October 4th following.

This defeat, aggravated by the raid of John Brown on Harper's Ferry dur[illegible] the same month, exasper-

when the secession of Texas was declared, rather than be compelled to sacrifice his principles, he determined to leave the country, and did so in July 1861, proceeding to Cal. by way of Monterey and Durango. He published his little work, consisting of 12 and 35 octavo pages, at San Francisco in 1863.

ated the southern states, and in December 1859, both branches of the legislature of South Carolina, passed unanimously startling resolutions on the subject of federal relations. Affirming, in the preamble, the right of the state to secede from the confederation, and asserting that for the last seven years assaults upon the institution of slavery, and upon the rights and equality of the southern states, had continued with increasing violence, the legislature resolved that it was their deliberate judgment in general assembly, that the slave-holding states should immediately meet, and adopt measures for united action; that the resolutions should be communicated by the governor to all the slave states, with the earnest request that they would appoint deputies, and adopt measures to promote said meeting; and that for the purpose of preparation for an emergency, the sum of $100,000 should be appropriated for military contingencies.[2]

On the receipt of these resolutions, Governor Houston in January, 1860, addressed a message on the subject to both houses of the state congress. The document is somewhat lengthy, comprising sixteen 8vo pages, and is an able exposition of arguments against the doctrines of nullification and secession. Houston entered his unqualified protest against the principles enunciated in the resolutions. To nullify constitutional laws would not allay the existing discord. Separation from the union would not remove the unjust assaults made by a class in the north upon the institutions of the south; "they would exist from like passions, and like feelings under any government." "The union," he remarks, "was intended as a perpetuity. In accepting the conditions imposed prior to becoming a part of the confederacy, the states became part of the nation. What they conceded comprises the power of the federal government; but over that which they did not concede, their sover-

[2] Copy of these resolutions will be found in *Tex. State Gaz.*, iv., App. 178–9; *Houston's Message on S. C. Resol.*, 1860, No. 1, in *Tex. Col. Doc.*, No. 2.

eignty is as perfect as is that of the union in its appropriate sphere." With regard to the position of Texas, he says: "In becoming a state of the union, Texas agreed 'not to enter into any treaty, alliance, or confederation, and not, without the consent of congress, to keep troops or ships of war, enter into any agreement or compact with any other state or foreign power.' All these rights belonged to Texas as a nation. She ceased to possess them as a state." After quoting the language of Washington, Jefferson, Madison, Jackson, Clay, and Webster, with regard to the necessity of preserving the union, he called attention to the effect of secession and disunion in Mexico, where "a disregard for a constitutional government had involved that country in all the horrors of civil war, with robbery, murder, rapine, unrestrained." In the event of disruption of the United States, to all these evils would be added the combined efforts of the powers of tyranny to crush out liberty. In conclusion he recommended "the adoption of resolutions, dissenting from the assertion of the abstract right of secession, and refusing to send deputies for any present existing cause, and urging upon the people of all the states, north and south, the necessity of cultivating brotherly feeling, observing justice, and attending to their own affairs."

This message, with which the resolutions of the general assembly of South Carolina were transmitted, was referred by the senate to the committee on state affairs, and by the house of representatives to the committee on federal relations. The former committee was unanimous in the opinion that the union and constitution should be preserved and defended, but it was divided as to the form of the joint resolutions to be submitted to the senate. Those reported by the majority, while expressing the firm resolution to defend the constitution of the United States and support the union, at the same time maintained the doctrine of state defence against aggressions. It was further

declared that the statutes of several of the non-slaveholding states nullifying the fugitive slave laws, and the purpose of the dominant political party in the northern states, called the black republican party, to use, if it could get possession of the federal government, all the powers of that government for the extermination of slavery, were all in violation of the spirit and principles of the constitution. In view of this danger, Texas appealed to the people of the other states to prove, in the ensuing state and federal elections, their devotion to the constitution and the union, and to the sovereignty and equality of states. In case the appeal should be disregarded, the subject of present and probable exigencies was commended to the consideration of the people of Texas, to devise ways and means of maintaining the rights and liberties of the states.

The joint resolutions reported by the minority of the committee on state affairs were far more definite. It was resolved that the state did not admit the constitutional right of a state to secede; that secession was a voluntary act, and could only be justified by oppressive infractions of the constitution by the general government; that nothing, as yet, had been done by that government to justify such revolutionary action, and Texas therefore held the resolutions of South Carolina to be premature and unnecessary, and declined to appoint deputies; that the people of Texas, however, solemnly warned their northern brethren against the fanaticism of the abolitionists and black republicans. Whenever an assault was made upon slavery by those wielding the powers of the federal government, Texas would resist such aggression by every means in her power. Whenever the federal government became powerless to protect the rights of the states, it ceased to answer the purpose for which it was instituted, and the union would no longer be worth maintaining. In the event of such being the case, "Texas would again raise the revolutionary

standard, as in the struggle of 1835 and 1836, when the Mexican confederation became the corrupt representative of mere forms of constitutional liberty. In such a contest, the people would act with those who opposed a common danger, holding an aggression on the rights of any one of her sister states as an aggression upon her own; but rather than submit to a violation of their constitutional rights, they would, if necessary, single-handed and alone, again unfurl the banner of the Lone Star."[1]

Majority and minority reports were also submitted to the house of representatives by the committee on federal relations. In the former, it was resolved that whenever one section of the union presumed upon its strength for the oppression of the other, the constitution became a mockery; that Texas would neither violate any federal right, nor submit to any violation of her rights by federal authorities; that she would not submit to the degradation threatened by the black republican party, but would sooner reassert her independence, and again enter upon a national career; that Texas pledged herself to any one or more of the states to coöperate with them, should it become necessary, to resist federal wrong.

The report of the minority was similar in spirit to that presented by the minority of the committee on state affairs. It was denied that any of the alleged evils were ascribable to the legitimate operations of the federal government, but were chargeable to the disloyalty of those who, by obstructing the laws and authorities, were themselves, designedly or undesignedly, enemies of the union. The dissolution of the union would cure no evils, but on the contrary, would be the source of unnumbered evils; the minority dissented from the doctrines of secession and nullification; they deemed it inexpedient to send deputies to a convention of the slave-holding states, as invited by South Carolina, and it was their opinion that there was no

[1] Copy of joint resolutions proposed in *Tex. State Gaz.*, iv., app. 177–8.

sufficient cause to justify Texas in taking the incipient steps for a dissolution of the union.[4]

It will be perceived that, with the exception of the majority report of the committee on federal relations, the sentiments expressed were in all main points in harmony with Houston's views. But the year 1860 was one of unprecedented agitation, caused by the excitement over the canvass for the presidential election. A great national crisis was at hand. By the platform adopted by the republican national convention, which met at Chicago on May 16th, it was denied that the authority of congress or of a territorial legislature could give legal existence to slavery in any territory of the United States. The ballots resulted in the nomination of Abraham Lincoln, who was elected president by a large majority of the electoral college's votes.[5]

Meantime in Texas the democratic confederate leaders had not been idle after their defeat at the polls. They now had recourse to a secret organization, and the same men who had denounced the know-nothing society availed themselves of the services of a secret organization, known as the Knights of the Golden Circle, which had been formed some years before with the object of establishing an empire, the foundation of which was to rest on the institution of slavery. The boundary of this visionary empire was to be the circumference of a golden circle, as it was called by the projectors, having for its centre Habana, in Cuba, and a radius of sixteen geographical degrees. It would extend to the isthmus of Panamá on the south, and the Pennsylvania line on the north, and include the West Indies, the islands of the Caribbean sea, and the largest portions of Mexico and Central America. Under the auspices of this society, all the filibustering movements during the period from 1850 and 1857 were undertaken, but on the failure of

[4] Copy of reports in *Id.*, 166–7.
[5] Lincoln obtained 180 votes, Breckenridge 72, Bell 39, and Douglas 12.

Walker's expedition in Nicaragua, the organization was partially broken up. The more persistent of its members, however, still devoted their energies to the accomplishment of disunion, and the baffled secessionist party in Texas turned to them for assistance. In 1860, two members of the order, George W. Bickley and his nephew, were employed to organize "castles," or lodges, in Texas, receiving as remuneration for their work the initiation fees paid by incoming members. Such castles were soon established in every principal town and village in the state, and among the knights of this order were many members of the legislature and prominent politicians. It became a power in the land. By its influence the sentiments of the people were revolutionized; from its fold were drawn the first armed rebels in Texas, under the famous ranger, Benjamin McCullough; it furnished the vigilance committees; and to its members were charged murders and incendiary acts committed during the war. So says Newcomb.[6]

No sooner was it known that the majority of electors chosen on November 6th were in favor of Lincoln than South Carolina took the initiative, and called for a convention of the southern states, to meet at Columbia, December 17th. Heavy pressure, too, was brought to bear upon Houston to force him to call a special session of the legislature, to which he finally yielded, much against his will, appointing January 21, 1861, as the day for its assembly. His previous views were now slightly modified, though he was still as strongly opposed to secession as ever. In his message to congress, when it met at the appointed time, he stated that he felt the necessity of the slave-holding states' taking action to secure to the fullest extent their rights, but he could not reconcile his mind to the idea that safety demanded an immediate separation from the federal government before having

[6] Cf. sup., 6-7; *Lossing's Hist. Civ. War*, i. 187; *Greeley's Amer. Conflict*, i. 350.

stated their grievances and demanded redress. While deploring the election of Lincoln, he, nevertheless, did not yet see in that event any cause for the secession of Texas. He believed, however, that the time had arrived when the southern states should coöperate, and take counsel together. Such a convention as that contemplated by the joint resolution of February 16, 1858, would, he believed, soon be held, and desiring that the people of Texas should be represented in it, he had ordered an election for that purpose to be held on the first Monday in February 1861. Since the issue of his proclamation, four of the southern states had declared themselves no longer members of the union.[7] The interests of Texas, he said, were identified with those of the remaining states, which, as yet, had taken no action. If by joining her counsels with theirs such assurances could be obtained of a determination on the part of the northern states to regard the constitutional rights of the south as would induce the states which had seceded to rescind their action, the end attained would silence the reproaches of the rash and inconsiderate. He also called attention to the necessity of providing against Indian hostilities, and for the wants of an empty treasury.

Houston thus stood to his principles. He still hoped that disunion might be avoided by temperate representations of a convention of the southern states. But the operations of the knights of the golden circle had already had dire effect in Texas. The voices of the unionists were silenced by threats, by the spectacle of the corpses of outspoken advocates of free-state principles hanging from the trees,[8] and by the destroying flames of incendiary fires. The legislature,

[7] These states were South Carolina, which seceded on Dec. 20, 1860; Mississippi, on Jan. 9, 1861; Florida, Jan. 10th; and Alabama, Jan. 11th.

[8] On Dec. 4, 1860, Senator Clingman from North Carolina, after remarking that the senator from New York was reported to have said that Texas was excited by 'free debate,' made use of these words in the senate: 'Well, sir, a senator from Texas told me the other day that a good many of those debaters were hanging up by the trees in that country!' *Cong. Globe*, 1860-1, pt i., 4. The senators from Texas were John Hemphill and Louis T. Wigfall.

too, was packed with members of the order. Ignoring the governor's proclamation, the knights proceeded to hasten matters, and on January 8th sixty of them issued a call for a state convention, to meet at Austin on the 28th of that month, the chief justices of the counties being recommended to order the opening of the polls at the different precincts for the election of delegates to said convention. The election was held January 8th, polls being opened by the knights of the golden circle wherever judges, loyal to the union, refused to obey the call. By the mass of the people, the proceeding was regarded as irregular, and out of the whole number of voters in the state not more than 10,000 appeared at the polls.[9] Barely half of the counties were represented by the people.

But the confederate party had the upper hand, and was determined to push matters to a crisis. The legislature by a joint resolution recognized the informally elected delegates, and declared the convention a legally constituted assembly.[10] Houston's veto was overruled, and on the appointed day the convention met at Austin. On February 1st the ordinance of secession was passed by a vote of 167 to 7, subject to ratification or rejection by a vote of the people on the 23d. Without waiting till the result was known the convention proceeded to appoint a "committee of public safety" to which secret instructions were given. It, moreover, appointed delegates[11] to the confederate convention at Montgomery, Alabama, and having thus assumed the power to act before the will of the people was expressed, adjourned to March 2d.

The committee of safety precipitated events in a still more arbitrary manner. It usurped the powers

[9] Thrall, page 381, does not represent the opinions of the Texans in these lines light with respect to this matter. He says, "the people, by common consent, on the 8th of January, elected delegates to a state convention."

[10] In the house the resolution passed with little opposition. In the senate a substitute resolution was offered by one of the members, to the effect that an election should be held for a convention to meet on March 4th following; it was lost by a vote of 20 nays to 10 yeas.

[11] Namely, John H. Reagan, Lewis T. Wigfall, John Hemphill, William S. Oldham, John Gregg, and W. B. Ochiltree. *Thrall*, 428.

of the executive, and appointed three commissioners, Thomas J. Devine, P. N. Luckett, and S. A. Maverick, to treat with General Twiggs, in command of the United States forces in Texas, for the surrender of his army and the national posts and property. Twiggs was already in communication with the confederates, and when in January Governor Houston had inquired of him confidentially as to what disposition would be made of the public property in Texas, he evasively replied, on the 22d, that he had received no instructions from Washington in regard to the disposition of the public property or of the troops, in the event of the state's seceding. "After secession," he wrote, "if the executive of the state makes a demand on the commander of the department he will receive an answer." In his communications with the commissioners, Twiggs required of them to support their demand with some show of force, and on February 16th Ben McCullough,[12] with a party of between 300 and 400 men, took possession of the main square of San Antonio, the Alamo having been captured that morning by a body of the knights. On the 18th, an agreement was entered into, and Twiggs surrendered the national forces stationed in Texas, to the number of 2,500 men,[13] all the forts, arsenals, and military posts,[14] and the public stores and munitions of war valued at $1,200,000, cost price.

[12] He was a native of Tennessee, went to Texas during the time of the revolution, and commanded a cannon in the battle of San Jacinto. After the independence of Texas he was captain of a company of rangers. During the war of secession he was appointed brigadier-general in the confederate army, and was killed in the second day's fight at Pea Ridge, Arkansas, March 24, 1862. *Thrall*, 589.

[13] By the terms of the agreement the U. S. troops were to leave the soil of the state by the way of the coast, being allowed to retain their arms. While in Matagorda Bay, 450 of these soldiers under Major Sibley, on board of two schooners for transportation, were captured, April 24, 1861, by the confederate officer, Major Earle Van Dorn, who then proceeded with 1,500 men to San Antonio, where he made prisoners of 300 more, under Col Reeve on May 9th following. This was an infraction of the agreement. *Newcomb, ut sup.*, 10–12; *Lossing, ut sup.*, i. 265–73; *U. S. Sen. Misc. Doc.*, cong. 37, sess. I, no. i. 19–20.

[14] The military posts and ports in Texas occupied by the U. S. troops at this time were as follows: Camp Cooper, Fort Chadbourne, Camp Colorado, Fort Bliss, Fort Quitman, Fort Mason, Fort Stockton, Fort Lancaster, Fort

A few days before the popular vote was taken Houston delivered a speech from the balcony of the Tremont House, in Galveston, to the excited public on the question of secession. His personal friends, fearing that violence would be offered, entreated him to remain quiet. But he was not to be stopped by any apprehension of danger. He stood erect before the people, and in prophetic language pictured to them the dark future. "Some of you," he said, "laugh to scorn the idea of bloodshed as a result of secession, and jocularly propose to drink all the blood that will ever flow in consequence of it! But let me tell you what is coming on the heels of secession: The time will come when your fathers and husbands, your sons and brothers, will be herded together like sheep and cattle at the point of the bayonet, and your mothers and wives, and sisters and daughters, will ask, Where are they? You may, after the sacrifice of countless millions of treasure, and hundreds of thousands of precious lives, as a bare possibility, win southern independence, if God be not against you; but I doubt it. I tell you that, while I believe with you in the doctrines of state rights, the north is determined to preserve this union. They are not a fiery impulsive people as you are, for they live in cooler climates. But when they begin to move in a given direction, where great interests are involved, such as the present issues before the country, they move with the steady momentum and perseverance of a mighty avalanche, and what I fear is they will overwhelm the south with ignoble defeat." He expressed the belief that the existing difficulties could be solved by peaceable means. Otherwise, he would say, "Better die freemen than live slaves." Whatever course Texas

Davis, Camp Hudson, Camp Verde, Camp Ives, Camp Wood, Fort Clark, San Antonio Barracks, Fort Inge, Fort Duncan, Fort McIntosh, Ringgold Barracks, Camp Palo Alto, and Fort Brown. *Disturnell's U. S. Register*, 1861-62, 62-3; *Tex. Almc.*, 1860, 144-6. In *U. S. Mess. and Doc.*, 1860-61, 218-21, three other camps appear on the list, situated on the Rio Grande below Fort Ringgold.

should determine to pursue, his faith in state supremacy and state rights would carry his sympathies with her. As Henry Clay had said, "My country, right or wrong," so said he "my state, right or wrong."[15]

On February 23d the polls were opened. Houston had been right in saying that bloodshed was not anticipated. By most Texans the possibility of war was not thought of, and his warnings fell on heedless ears. Austin, the capital, San Antonio, and other western towns, as well as counties, gave union majorities; the German colonists, too, were for the union; but in the other portions of the state the vote was confederate. Out of 70,000 legal voters,[16] 53,256 cast their votes. Of this number 39,415 were in favor of secession and 13,841 against it.

This result was known March 5th, and then the convention, which had reassembled on the 2d, forthwith assumed the powers of the government. It instructed its delegates at Montgomery, to ask for the admission of Texas into the southern confederacy that had just been formed; it sent a committee to Governor Houston to inform him of the change in the political position of the state; it adopted the confederate constitution; and appointed representatives to the confederate congress.[17]

Houston in his reply to the convention considered that it had transcended its powers, and stated that he would lay the whole matter before the legislature

[15] *North's Five Years in Texas*, 88–95. The author of this little work was present on the occasion of this speech, and supplies a portion of it. His book contains a good description of Texas, at this time, of the social elements, and the different political parties, some historical events, which took place during the years 1861–5, being interspersed.

[16] Newcomb, page 8, places the number of legal voters at over 80,000, which seems too high. The yearly influx, however, of settlers was great, as will be seen by a comparison of the number of votes cast at the gubernatorial elections in the years 1855, 1857, and 1859, which were respectively 46,339, 56,180; and 64,027.

[17] During the confederacy, Lewis T. Wigfall and William S. Oldham, represented Texas in the senate; and John A. Wilcox, C. C. Herbert, Peter W. Gray, B. F. Sexton, M. D. Graham, William B. Wright, A. M. Branch, John R. Baylor, S. H. Morgan, Stephen H. Darden, and A. P. Wiley in the house. *Thrall*, 408.

which was to assemble on the 18th; whereupon the convention defied his authority, and passed an ordinance requiring all state officers to take the oath of allegiance to the new government. Houston and E. W. Cave, secretary of state, refused to take the oath; they were both deposed by a decree of the convention, and Edward Clark, the lieutenant-governor, was installed as the executive. Houston then appealed to the people, and, when the legislature met, sent in a message protesting against his removal, at the same time stating that he could but await their action and that of the people. If driven at last into retirement, in spite of the constitution of the state, he would not desert his country, but his prayers for its peace and prosperity would be offered up with the same sincerity and devotion with which his services had been rendered while occupying public station.

In his address to the public two days previously, he denounced the usurpations of the convention. It had elected delegates, he said, to the provisional council of the confederate states before Texas had withdrawn from the union; it had created a committee of safety, a portion of which had assumed executive powers, by having entered into negotiations with federal officers, and caused the removal of the United States troops from posts in the country exposed to Indian depredations; it had deprived the people of the right to know their doings, by holding its sessions in secret; it had appointed military officers and agents under its assumed authority; it had declared that the people of Texas ratified the constitution of the provisional government of the confederate states, had changed the state constitution, and established a test oath of allegiance; and it had overthrown the theory of free government by combining in itself all the departments of government and exercising the powers belonging to each. Nevertheless Houston was far from wishing that his deposal should be the cause of bloodshed. "I love Texas," he de-

clared, "too well to bring civil strife and bloodshed upon her. To avert this calamity, I shall make no endeavor to maintain my authority as chief executive of the state, except by the peaceful exercise of my functions. When I can no longer do this I shall calmly withdraw from the scene, leaving the government in the hands of those who have usurped its authority, but still claiming that I am its chief executive." He then entered his formula: "I protest in the name of the people of Texas against all the acts and doings of this convention, and declare them null and void. I solemnly protest against the act of its members, who are bound by no oath themselves in declaring my office vacant, because I refuse to appear before it and take the oath prescribed."

The legislature, however, in face of appeal, protest, and message, sanctioned the proceedings of the convention; and Clark, who had already been sworn in on the 16th, assumed the functions of provisional governor on the 21st.[18] Houston soon after left the capital and retired to private life.

During the last two years Texas had been unusually harassed by depredations committed on her frontiers. After the removal of the Indians from the reservations in Young county, the hostility of the native races was intensified, and the northern and western borders were subject to all the horrors of savage warfare. The United States' troops and Texan rangers engaged in frequent conflicts with these subtle enemies, and many wearisome expeditions were undertaken in pursuit of bands which had accomplished successful raids, leaving behind them devastation and death. For hundreds of miles along the frontier, numerous small parties of from six to fifteen warriors simultaneously attacked settlements, and generally escaped without punishment.[19] Some

[18] *Newcomb, ut sup.*, 8–9; *Lossing, ut sup.*, i. 188–90; *Thrall*, 385–9, 566–7.
[19] Gov. Houston reported, March, 12, 1860, that during the last four

savages were occasionally killed in these encounters, but many of the troops employed in this tedious and desultory service—so aggravating to the soldier—also fell.[9]

At this epoch the native tribes, with one exception, no longer occupied the lands within the settlements. The more savage had been driven to the distant, and as yet unsettled, borders of the state, while those of peaceable habits and industrious disposition had been expelled. The exception alluded to was a band of emigrants from the Creek nation, which, early in the century, considering the contest with the white race as hopeless, sought a home in Texas, and settled near Alabama creek on land lying between that stream and Trinity river. These Indians were principally Alabamas and Coashattas, a few Muscogees only being united with them. From the time of their arrival they persistently pursued a peaceful policy, content to cultivate their clearings, tend their flocks and herds, and when their crops were garnered, indulge in their passion for the chase. When Texas began to be settled by Anglo-Americans, they still remained steadfast to their peace policy, and ever showed themselves faithful to the new-comers. Though abstaining from giving offence, their loyalty was often sorely

months, 51 persons had been murdered, and probably as many wounded and made prisoners. *U. S. H. Ex. Doc.*, cong. 36, sess. 1, No. 52, 139-42.

[9]Consult *U. S. Mess. and Doc.*, 1850-61, 18-51, 193-205. By an act of congress, April 7, 1858, the president was authorized to receive into the service of the U. S. a regiment of mounted volunteers for the protection of the Texas frontier. *U. S. H. Journ.*, cong. 36, sess. 1, 278. On June 21, 1860 an act was approved, providing for the repayment, to Texas, of moneys advanced in payment of volunteers called out by competent authority since Feb. 28, 1855, for the defense of the frontiers, provided that the amount did not exceed $139,544. *Cong. Globe*, 1859-60, App. 489. Claims for indemnity for spoliations by Indians were made by Texas against the U. S. government. *Id.*, 1859-60, 2046, 2167, 2186, 3039. *U. S. H. Com. Rpts*, cong. 36, sess. 1, iv., no. 535. In an expedition in 1859 for a topographical reconnoissance between the Pecos river and the Rio Grande, conducted by Lieut. Edward L. Hartz, 24 camels were employed to test their usefulness as a means of military transportation. Lieut. Harts sent in to the government an interesting report in the form of a diary, extending from May 18 to Aug. 7, 1859. *Mess. and Doc.*, cong. 36, sess. 1, pt ii. 422-41. Though the report was not unfavorable as to the usefulness of these animals, the employment of them was soon discontinued.

tried by outrages committed by unprincipled men, who from time to time would rob them of their crops and cattle. Their patience under these wrongs was exemplary; they abstained from reprisal when no redress could be obtained, and were gratefully thankful when justice was meted out to them. These Indians thus won many friends; public opinion sustained them, and the legislature of Texas took them under its protection, and purchased a tract of land for them. They were a docile, hospitable, warm-hearted people, easily restrained from over-indulgence in spirituous liquors, cheerful and humorous, generous and unselfish; and what is a special mark of their kindly nature, their women were treated with a degree of consideration not to be observed among other savage tribes.[21]

While the northern and western frontiers were depredated by the stealthily conducted forays of savages, the southern borders on the Rio Grande were subjected to more open hostilities, carried on by outlaws and banditti under the leadership of Cortina.[22] This border ruffian and his gang, in pursuit of their business as dealers in stock, had long been notorious for their frequent robbery of cattle, and depredations committed on Texan territory. Connected with this organization was a number of Mexican citizens, who, crossing the river, took part in marauding expeditions, and with their companions removed their booty to Mexican soil, evading all attempts to punish them. As for Cortina, he made either country his asylum in

[21] The above account of this settlement is obtained from an article in the *Tex. Alm.*, 1861, 126–31, the writer of which states that his estimate of the character of these Indians was based on 20 years' observation. See also *Id.*, 1869, 157, where his views are indorsed. The number of the Indians in 1869 was considered to be less than 500.

[22] Juan Nepomuceno Cortina was a native of Camargo, but spent his early life on a rancho owned by his mother on the Texan side of the Rio Grande, about nine miles above Brownsville. In 1847, he was employed by a Mr Somerville to buy mules, and having purchased a band, started with Somerville for the interior. When nine miles distant from the river, he murdered his employer, and sold the animals to the U. S. govt at Brazos Santiago. Though indicted for this crime, he escaped arrest. Henceforth he led a vicious life, associated himself with robbers, and engaged in horse and cattle stealing. *U. S. Sen. Doc.*, cong. 36, sess. 1, vol. ix., no. 21, 9, 13.

turn, claiming American and Mexican citizenship alternately, according to the vigor with which efforts were made from time to time to arrest him. Surrounded, however, by a band of about seventy desperadoes, he was generally able to defy the authorities. In 1859, this leader's proceedings began to assume a political character. The reader is already aware of the deep feelings of hostility which existed between the Anglo-Texans and the Mexican-Texans. Of the latter race, Cortina suddenly stood forth as the champion, not so much from philanthropy as from a revengeful desire to prosecute a private feud in which he had involved himself with certain individuals residing in Cameron county.

On July 13, 1859, he entered Brownsville with some of his companions, and as it happened, a Mexican, who had formerly been his servant, was arrested by the city marshal, Adolph Glavecke, for disturbing the peace. Cortina interfered, fired upon the marshal, wounding him in the shoulder, rescued the prisoner, and escaped with him on horseback to Matamoros, defying the authorities to arrest him. This flagrant act aroused the indignation of the people of Brownsville, and an attempt was made to raise a sufficient force to capture him, but failed. Several of those most active on the occasion were known to Cortina, who marked them as his enemies, and determined to take revenge.

At the head of a mounted body of men, variously estimated at from forty to eighty in number, early in the morning of September 28th, he entered Brownsville, and took possession of the unprotected city. Constable Morris and a young man named Neal were killed,[2] as also Johnson, the jailer—who refused to deliver up his keys—and two Mexicans, in whose house he had taken refuge. Johnson defended him-

[2] Both these men were murderers, being known to have killed several Mexicans in cold blood, and had deadly enemies in Cortina's band. *U. S. H. Ex. Doc.*, cong. 36, sess. 1, viii., no. 52, 65; *Id.*, xii., no. 81, 4.

self obstinately, killing one of Cortina's men, and severely wounding another before he was slain. Cortina now liberated the prisoners, paraded the town, and demanded that Glaevecke and other persons whom he named should be delivered up to him. No attempt, however, was made to plunder the city, and he was finally induced by the representations of the Mexican consul, Manuel Tresiño, General Caravajal, and influential citizens of Matamoras to abandon it. He retired with his followers to his mother's hacienda, the rancho del Carmen, which he converted into a military camp.

On the 30th of the same month, he issued his first proclamation, in which he declared that his object was to protect those who had been persecuted and robbed on account of their Mexican origin, and that an organization had been formed for the purpose of chastising their enemies, and delivering them from the machinations of a multitude of lawyers and others, who were bent upon despoiling Mexican-Texans of their lands.

It was claimed that Cortina was aided by Mexican money and arms. That he found favor in the eyes of the public and some officials is more than probable; but this was not the case with the Mexican authorities. In response to an appeal for protection made by the inhabitants of Brownsville, the commander at Matamoros sent over a detachment of his troops on September 30th, and they were not withdrawn till all danger of a renewal of hostilities seemed over. But about the 12th of October, Cortina having by that time retreated across the Rio Grande, his second in command, Cabrera, was captured at the rancho del Carmen by the sheriff. Cortina threatened to lay Brownsville in ashes unless he was released; a prominent merchant of Matamoros passed over at the request of the most influential men in that city, and tried, though ineffectually, to persuade the people to comply with the demand; Captain Tobin's company

of rangers arrived a few days afterward, and on the night of their arrival Cabrera was found hanged.

Cortina now proceeded to act. He returned to the rancho del Carmen, where the number of his followers rapidly increased. His movement was very popular with the Mexican-Texans, whose cause met with much sympathy south of the Rio Grande. The people of Brownsville again asked the authorities at Matamoros to aid them in repelling the threatened attack, and a company under Colonel Loranco was sent over.

On October 24th a combined force of Mexicans and Americans with two pieces of artillery[24] attacked Cortina and compelled him to retreat into the chaparral. An attempt to dislodge him failed; one gun became bogged and was dismounted on being discharged. The advance fell back; the other gun was abandoned, and an ignominious flight followed, the Mexicans, however, bringing up the rear. The guns remained in the possession of Cortina.

About November 18th Lieutenant Littleton with thirty men fell into an ambuscade and sustained a loss of three men killed and one wounded, and one taken prisoner. On the 23d of that month Cortina issued a second proclamation in which, after recounting to the Mexicans in Texas the grievances suffered by them, he calls on them to join him in his enterprise. He informed them that a society was organized in the state for the extermination of their tyrants; that the veil of impenetrable secrecy covered "the great book" in which the articles of the society's constitution were written, but that no honorable man need have cause for alarm; and that the Mexicans of Texas reposed their lot in the governor elect, General Houston, trusting that he would give them legal protection within the limits of his power. In conclusion

[24] Major Heintzelman, 1st regt U. S. infantry, says in his report, 'The Mexican troops had but from 8 to 12 rounds of ammunition, and they did not retreat until it gave out. They are accused, but I think unjustly, of having fired blank cartridges, and that the cap squares were loosened to dismount the gun.' *Id.*, xii., no. 81, 5.

this reprobate cattle-stealer appealed to the good inhabitants of Texas to look upon Mexicans as brothers, "and keep in mind that which the holy spirit saith: Thou shalt not be the friend of the passionate man; nor join thy self to the mad man, lest thou learn his mode of work and scandalize thy soul." [25]

Meantime more volunteers arrived, and Captain Tobin collected about 250 men at Santa Rita, seven miles from Brownsville. On November 24th he advanced against Cortina who was now well intrenched and protected by the captured cannon. Tobin's force was a disorganized crowd, and after receiving and returning the fire of the enemy, he gave the order to fall back and wait for a 24-pounder howitzer, which he had left with sixty men at Santa Rita. The whole force, however, retreated to that place; a misunderstanding occurred and some of the men returned to Brownsville. On the following day he again advanced, but again fell back, deeming it imprudent to attack.

Cortina's force kept rapidly increasing, and he soon had between 400 and 500 followers, a number of whom were criminals who escaped from the prison at Victoria, and had joined him in spite of the efforts of the Mexican authorities to prevent them.[26]

On December 5th Major Heintzelman, 1st regiment U. S. infantry, arrived at Brownsville with 122 officers and men, where he was joined by Captain Rickett's company, 1st artillery, of 48 men, and Major Tobin with 150 rangers. On the 14th he attacked the enemy with 165 officers and men of the regular

[25] Copy of proclamation in *U. S. H. Ex. Doc.*, cong. 36, sess. 1, viii., no. 52, 79–82.

[26] The Texans charge the Mexican authorities with wilfully making no endeavor to prevent Cortina receiving such recruits. This was not the case. Considering the nature of the country and the willingness on the part of the Mexican people to aid fugitives, the authorities did all that was possible. A force was sent from Matamoros to guard the fords of the Rio Grande, and other measures were taken to arrest the criminals. The report of the Mexican investigating committee of May 15, 1873, contains a very fair account of Cortina's insurrection, and the position of Mexico in regard to it. *Mex. Informe Comis. Pesq.*, 1873, 71–85.

army and 120 rangers, and captured one of Cortina's principal camps without difficulty. The insurrectionary leader now concentrated his forces and retired up the river, devastating the country on his march, as far as Rio Grande City, which place he took possession of as well as of Fort Ringold. Heintzelman started in pursuit of him on the 21st and on the 27th attacked his camp, which was situated about half a mile outside of Rio Grande. Cortina sustained a complete defeat, losing his guns, ammunition and baggage. His force was between 500 and 600 men of whom 60 were killed, or drowned in the river. The Americans had sixteen wounded, most of them only slightly. The routed leader with his followers took refuge in Tamaulipas. The devastation which he had caused was serious. Major Heintzelman in his report already quoted says: "The whole country from Brownsville to Rio Grande City, 120 miles, and back to the arroyo Colorado, has been laid waste. There is not an American, or any property that could be destroyed, in this large tract of country. Business as far as Laredo, 240 miles, has been interrupted or suspended for five months. The amount of claims for damages is $336,826. There have been fifteen Americans and eighty friendly Mexicans killed. Cortina has lost 151 men killed; of the wounded I have no account."[17]

In June 1860 Cortina was put to flight by Mexican troops, which were kept for six months in the field to operate against him, and succeeded in capturing many of his lawless followers. Having found a refuge in the mountains of Burgos, in May, 1861, he thence again invaded Texas and burned Roma, but was again defeated. This was the closing event of his insurrectionary movements against Texas.[18]

[17] Detailed particulars of this insurrection will be found in *Ib.*; *U. S. S. Ex. Doc.*, cong. 36, sess. 1, iv., no. 21 and 24; *H. Misc. Doc.*, cong. 36, sess. 1, v., no. 38; *H. Ex. Doc.*, cong. 42, sess. 3, vii., no. 39, where on pp. 43–4, the claims for damages will be seen to amount to $1,306,619; *Id.*, cong. 36, sess. 1, viii., no. 52, xi., no. 81.

[18] He afterward revolutionized Tamaulipas, became gov., and intrigued

By proclamation of April 15, 1861, President Lincoln declared the states of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas in rebellion, called out 75,000 of the militia, and summoned congress to assemble on the 4th of July following. On the 11th of that month, senators Hemphill and Wigfall, having failed to take their seats, were declared expelled from the senate of the United States.[29] together with certain members from Virginia, North Carolina, South Carolina, Tennessee, and Arkansas, by a vote of 10 nays against 32 yeas.[30]

The great civil war began, and fortunate it was for Texas that her geographical position placed her outside the cyclone of that Titantic strife. While the whirlwind of destruction and death swept for years over the unhappy south, she was only disturbed by the commotion raised on the edge of the dreadful

both with the confederates and the U. S. officials. In 1871 he was a general under Juarez, and in 1875 mayor of Matamoros and gen. in the Mexican army. For refusing to obey orders he was arrested and sent prisoner to Mexico. *Mex. Informe Com. Pesq.*, 1873, 83–5; *Thrall*, 528–9.

The following is a list of the senators from Texas previous to the secession.

Thomas F. Rusk.....from 1845 to 1857
Samuel Houston.....from 1846 to 1859
Pickney J. Henderson.....from 1857 to 1859
Matthias Ward.....from 1858 to 1859
John Hemphill.....from 1859 to 1861
Lewis T. Wigfall.....from 1859 to 1861

Henderson and Ward in succession completed the unexpired term of Rusk. Texas up to 1861 was entitled to two representatives in the lower house, corresponding to the eastern and western districts. From the eastern district they were:

David S. Kaufman.....from 1846 to 1851
Richardson Scurry.....from 1851 to 1853
O. W. Smyth.....from 1854 to 1855
Lemuel Dale Evans.....from 1856 to 1857
John H. Reagan.....from 1858 to 1861

The western district was represented by

Timothy Pillsbury.....from 1846 to 1849
Volney E. Howard.....from 1850 to 1853
P. H. Bell.....from 1854 to 1857
Guy M. Bryan.....from 1858 to 1859
Andrew J. Hamilton.....from 1860 to 1861

Population in Texas had increased so rapidly that in the apportionment of representation of the states in the house, of July 1861, Texas was allowed four representatives. *U. S. H. Ex. Doc.*, cong. 37, sess. 1, no. 2.

[30] *U. S. Sen. Jour.*, cong. 37, sess. 1, 25, 29–30; *Cong. Globe and App.*, 1861, 1.

storm. Her territory, in all its length and breadth, did not become a battle-field, and agriculture met not with the same destruction, as in some other sections. It is true that many places were abandoned and became desolate, and thousands of acres under cultivation were left to weeds and thistles; but the flail of famine did not fall upon the land. Her commerce naturally suffered much, but even in this respect the detriment to Texas was less than that felt by any other of the southern states. She had the advantage of being the solitary portion of the territory of the confederacy bordering on a foreign nation, and found in Mexico a market for her cotton, and a source from which she could procure supplies of the most necessary commodities. Her numerous posts on the gulf, too, afforded her better facilities for running the blockade which was established than those possessed elsewhere by the south. Thus, comparatively speaking, Texas, locally considered, suffered less than any other confederate state. Nevertheless a stop was put to her progress; internal improvement and immigration ceased, and thousands of her sons perished in the war. For she did not flinch from taking her full share in the struggle, and in many a hard fought battle her flag was borne in the thickest of the fight.

Within one month after the installation of Clark, hostilities broke out. On April 14, 1861, Fort Sumter was evacuated by Major Anderson, and on the following day Lincoln's proclamation was issued. Enlistment for service was at once commenced in Texas, and early in May, Colonel W. C. Young, crossing Red river, captured Fort Arbuckle and other military posts of the United States in the Indian Territory, the federal soldiers retreating to Kansas. Colonel Ford, also, assisted by an expedition which sailed from Galveston, took possession of Fort Brown, opposite Matamoros, without meeting with resistance. Captain Hill, in command, had refused to obey the order of Twiggs to evacuate it, but

found that he could not possibly hold it with his small force.

On June 8th Governor Clark issued a proclamation, announcing that a state of war existed, and shortly after the ports of Texas were blockaded by a squadron of the gulf fleet. The Texans had never been laggards in hastening to the field of action, and now, after an interval of nearly twenty-five years of almost uninterrupted peace, their warlike spirit was again aroused. Military districts were formed, a system of instruction in evolutionary movements and the use of arms was established, and great numbers enlisted in the cause to which Texas had pledged herself. By November 15,000 men were enrolled in the service of the confederate army.

The election of 1861 showed a majority in favor of Francis R. Lubbock,[31] for governor, who defeated Clark by only 124 votes.[32] He was inaugurated November 7, 1861.

In July of this year Lieutenant-colonel John R. Baylor had occupied Fort Bliss, on the Rio Grande, and crossing the river took possession of Mesilla on the 25th. Major Lynde, 17th U. S. Infantry, in command at Fort Fillmore near by, having failed to dislodge Baylor, surrendered his whole command of about 700 men. Lieutenant-colonel Canby was at this time in command of the department of New Mexico, and made preparations to meet the invasion. Meantime Major Sibley of the United States' Army,

[31] He was born in Beaufort, S. C., Oct. 16, 1815, and migrated to Texas Dec. 1836, settling in the town of Houston, where he opened a mercantile business house. In 1838 he was comptroller of the treasury, and from 1841 to 1857 held the office of clerk of the district court for Harris county. In the last named year he was elected lieut-gov., and in 1860 was appointed delegate to the Charleston convention. At the close of his term as gov., he entered the confederate army as an adjutant-general on the staff of President Davis, was captured with him in 1865, and imprisoned in Fort Delaware. In 1866 he resumed business in Houston, and two years later removed to Galveston. Lubbock, in 1876 was elected to the office of state treasurer, and re-elected in 1880. *Burke's Tex. Alm.*, 1882, 154; *Cordova's Tex.*, 102, 168–70.

[32] The total number of votes cast was 57,343, of which Lubbock obtained 21, 854; Clark, 21,730; and T. J. Chambers, 13,759. John M. Crockett was elected lieut-gov. *Thrall*, 391.

had joined the confederates, and with the rank of brigadier-general was ordered in July to proceed to Texas, and organize an expedition for the purpose of driving the federal troops out of New Mexico. Sibley reached El Paso with his force about the middle of December, and issued a proclamation, inviting his old comrades-in-arms to take service in the confederate army, an appeal which met with no response.

Colonel Canby, early in 1862 made Fort Craig, on the Rio Grande north of Mesilla, his headquarters, and on February 21st, after some maneuvering, and a skirmish on the day before, crossed the river and engaged the Texans. Canby's force aggregated 3,810 men, but of these only 900 were regulars, the remainder, consisting of volunteers and New Mexican militia, were of little service. Sibley reported the number of his force to have been 1,750. The engagement, called the battle of Valverde, took place in the afternoon, and resulted in the discomfiture of the federals, who retreated to the fort, leaving six pieces of artillery in the hands of the enemy.

Sibley now marched to Alburquerque, and from that place sent a detachment to occupy Santa Fé, which having been evacuated by the federal officer in command, Major Donaldson, was entered by the Texans March 23d. Fort Union, on the Santa Fé route, was the next point to which Sibley directed his march, but on the 28th of the same month his advance, under Colonel W. R. Scurry, became engaged at the eastern mouth of Apache Cañon, with a federal force over 1,300 strong, with eight pieces of artillery, under Colonel Slough, who had advanced against the invaders from Fort Union. Slough detached about 500 of his men, under Major Chivington, by a difficult and dangerous mountain trail, to assail the enemy's camp in the rear, while he engaged the main body. The maneuvre was successful; the camp with all the supplies of every kind was taken by the enemy, and though Slough's column was repulsed after a fierce

fight of five hours, Scurry sent in a flag of truce, and after burying his dead retreated to Santa Fé.

Slough's loss was one officer and 28 men killed; two officers and 40 men wounded, and 15 men taken prisoners; that of Scurry, four officers and 32 men killed, and 60 wounded.

This check stopped further advance. Early in April Santa Fé was evacuated, and the Texans retreated down the Rio Grande. On the 15th they were attacked at Peralta by Colonel Canby, and an indecisive engagement took place. In the night the Texans resumed their retreat, and on May 18th, Canby reported them as scattered along the Rio Grande between Doña Anna and El Paso. On July 6, 1862, the last of the confederates crossed into Texas. It was a bootless campaign, in which the devoted sons of Texas lost by sickness and in killed, wounded, and prisoners, over 500 men. New Mexico, with its rugged mountain ranges, desolate regions, and waterless deserts, was not a desirable country in which to undertake military expeditions. General Sibley, writing to Richmond from Fort Bliss expressed the conviction that the territory was not worth a quarter of the blood and treasure expended in its conquest, and that his men had manifested an irreconcilable detestation of the country and the people.[33]

[33] The above particulars are mainly derived from the account of this invasion by A. A. Hayes, in *Mag. Amer. Hist.*, Feb. 1886, 171–84. The writer had access to valuable official documents, visited New Mexico in 1879, and 'devoted much time to inquiries from those who took part in the campaign.'

CHAPTER XVII.

PROGRESS AND END OF THE WAR.

1862–1865.

OPERATIONS OF THE UNITED STATES' NAVY—RECAPTURE OF GALVESTON BY THE TEXANS—MILITARY DESPOTISM—DEFEAT OF THE FEDERALS AT SABINE PASS—DEATH OF GENERAL HOUSTON—HIS CHARACTER AND POLICY—MURRAH ELECTED GOVERNOR—OPERATIONS OF THE FEDERALS ON THE GULF COAST—ATTEMPT AGAINST TEXAS BY RED RIVER—BROWNSVILLE TAKEN BY CORTINA—ADMINISTRATION OF MURRAH—FINANCIAL MATTERS—THE CONSCRIPTION LAWS—LAMENTABLE SOCIAL CONDITION OF TEXAS—INDUSTRIAL PROGRESS—COTTON PLANTERS—REVERSES OF THE CONFEDERATE ARMS—THE LAST ENGAGEMENT.

In May 1862, the surrender of the city of Galveston was demanded by Commodore Eagle in command of the blockading squadron. No attention was paid to the summons, and as the commodore had no troops at the time to enforce his demand, no attempt was made to occupy the place till October 4th, when Commander Renshaw, of the United States' steamer *Westfield*, with the *Harriet Lane*, *Owasco*, *and Clifton*, captured the defences of the harbor and city after a mere show of resistance on the part of General Hebert, who withdrew his troops to Virginia Point, on the mainland.

Meantime, about the middle of September, Lieutenant J. W. Kittredge, with his vessel, the *Arthur*, and the steamer *Sachem*, took possession of Corpus Christi, captured several vessels, and necessitated the burning of others by the confederates. Subsequently Kittredge, while on shore, was captured with his boat's crew. Somewhat later Francis Crocker, commanding the steamer *Kensington*, with the schooners

Rachel Seaman and *Henry Janes*, captured the defences of Sabine city. He then proceeded to Calcasieu river, and took or destroyed several blockade-runners.[1]

So incensed were the people at the abandonment of Galveston by General Hebert, that they petitioned for his removal, and he was superseded in November 1862 by General Magruder, who forthwith made preparations to recapture the island. On Buffalo Bayou, a few miles below the city of Houston, he transformed four river steamers into gun-boats, protecting their sides with compressed cotton-bales. The return of Sibley's brigade from New Mexico, gave him an efficient force of men already experienced in war, and he had also at his disposal 5,000 Texans, who had been called into service for the protection of the coast. Galveston was occupied by the 42d Massachusetts volunteers; the *Harriet Lane* was lying at the wharf, and five other United States' vessels were stationed off the shore toward the pass.[2]

Magruder's plan was to assault the enemy simultaneously by land and water. His preparations were conducted with the greatest secrecy, his intention being known only to himself and staff. On December 29th, he proceeded to Virginia point with the land forces, sending the gun-boats *Neptune*, *Bayou City*, *Lucy Gwinn*, and *John F. Carr* to the head of the bay, with instructions to commence their attack when the moon went down, on the night of the 31st. At the appointed time, about 4 A. M., on January 1st, the land forces, which had silently and unperceived crossed over to the island, assaulted the position of the federals. The gun-boats, delayed by a low tide, could not reach the scene of action in time to coöperate in the opening of the attack, and victory began to seem doubtful. At this crisis they fortunately arrived, and

[1] *Cong. Globe*, 1862–63, app. 14.

[2] Namely, the *Westfield*, *Clifton*, *Owasco*, *Sachem*, and *Corypheus*, the last two having joined the squadron two days before the attack. *U. S. H. Ex. Doc.*, cong. 38, sess. 1, iv., doc. 1, app. 312.

attacked the *Harriet Lane*. The *Neptune* was soon struck by a shell below the water-line, and sunk, but the *Bayou City*, steaming up, ran into the enemy's vessel, and became entangled in her rigging. The Texans leaped on board, and a hand-to-hand conflict ensued, in which Commander Wainwright, of the *Harriet Lane*, and Lieutenant-commander Lea were slain. On their fall the ship surrendered. The *Westfield*, in trying to leave the harbor, ran aground, and in order to prevent her falling into the hands of the Texans, it was determined to blow her up. The explosion took place prematurely, and Commander Renshaw with fifteen men perished. All the other vessels escaped. Meantime, the efforts of the confederate land forces were crowned with success: the federals surrendered, and Galveston island was again in possession of the Texans,[1] who retained their hold of it till the termination of the war, though the port continued to be blockaded.

At the outbreak of the war, and during the earlier part of Lubbock's administration, it was confidently believed by the mass of the people in Texas that the establishment of the confederacy would be accomplished. It is true that after the passage of the secession ordinance the unionists began to organize secret leagues, with the object of controlling the general election to be held in August following; but the attack on Fort Sumter, and the destruction of any lingering hope that the question could be settled otherwise than by an appeal to arms, paralyzed the effort. A feeling of helplessness and consequent apathy took possession of the unionist leaders, while a general enthusiasm pervaded the people at large, and the ranks of the confederates proportionately gained strength. Stringent laws and orders that were issued, being regarded as measures necessary to success, were at first submitted to with promptness and cheerfulness, and

[1] *Id.*, 309–18; *Thrall*, 395–6; *North's Five Years in Tex.*, 196–11.

calls for volunteers were liberally responded to by the Texans. But presently they began to perceive that they had placed their necks under the yoke of a military despotism. On April 28, 1862, martial law was proclaimed by General Bee, in command at San Antonio, over the western military district, and on May 30th following, General Hebert proclaimed that it was extended over the whole state. Every white male person above the age of sixteen years was required, when summoned, to present himself before the provost marshal, and have his name, residence, and occupation registered; aliens were made to take an oath to maintain the laws of the state and the confederacy; persons disobeying orders and summonses issued by the provost marshal would be summarily punished; and any attempt to depreciate the currency of the confederate states was declared to constitute an act of hostility.[4]

On November 21st, an order was issued forbidding the exportation of cotton, except by the agents of the government, and in February 1863 further restrictions were made on the exportation of the same article across the Rio Grande. These and similar measures were condemned as interfering with trade, and depriving the people of the means of procuring many necessary supplies.

Moreover, after the first excited rush of volunteers into the service had subsided, the stern law of conscription was passed, and in Texas was enforced to the utmost. All males from eighteen years of age to forty-five were made liable to service in the confederate army, with the exception of ministers of religion, state and county officers, and slave-holders, the possession of fifteen slaves being the minimum number entitling an owner to exemption. Governor Lubbock was an extremist in regard to this system. In his message to the legislature in November 1863, he suggested that every male person from sixteen years

[4] Copy of proclamation in *Thrall*, 398.

old and upward should be declared in the military service of the state; that no one should be permitted to furnish a substitute, and that the right to do so should be abolished, both by the state and confederate governments. In the same message he informed the legislature that 90,000 Texans were already in the confederate service. When it is borne in mind that the greatest number of votes ever polled in the state was little over 64,000, it will be seen what a tremendous drain had been made on the strength of the country.

Again, the confiscation act,[6] and the law authorizing the banishment of persons still adhering to the union,[7] were scrupulously enforced. Many persons who had spent their lives in Texas thus lost their property, and even temporary absentees in the north, who would have found it difficult, if not impossible, to return, were likewise deprived of their possessions. But still more unfortunate were persons of union proclivities who yet remained in the country. Under authority of the banishment act, the settlers in the western counties, and the German colonists, who still hold to their anti-slavery propensities, were severely punished. After the proclamation of martial law in Texas, no household of anti-confederate ideas in those districts was permitted to dwell in peace, just as was the case in regard to confederates in the northern states, the feeling of loyalty to country being in Texas somewhat intensified. Many unionists attempted to escape to Mexico. The earlier fugitives were mostly successful, but of those who followed in their wake the greater portion was captured and put to death.[8]

[6] Passed by the confederate congress Aug. 31, 1861. It provided that all property within the limits of the confederacy belonging to union men who did not proclaim their allegiance to the confederacy, or had left it, should be confiscated.

[7] This law was passed Aug. 8, 1861. By it every male over 14 years of age who adhered to the U. S. govt was made subject to banishment from the limits of the confederate states, and the courts of justice were ordered to arrest and treat as alien enemies all union men who did not tender their allegiance or leave the confederacy within 40 days.

[8] Leasing quotes from the *San Antonio Herald*, an organ loyal to the confederacy, as follows: 'Their bones are bleaching on the sod of every county

By the close of Lubbock's administration the tide of opinion was changing. The confederate arms had met with serious reverses, and the dark shadow of the impossibility of an independent south had already cast a gloom around over the country. After the capture of Galveston island no other operation of importance occurred in 1863 until September, when an attempt, with the object of invading Texas, was made to effect a lodgment at Sabine City, where was the terminus of a railroad leading into the interior. It was believed by General Banks, to whom the conduct of the expedition was entrusted, and to whom discretionary power was given, that, by gaining possession of this point, he could concentrate an army of 15,000 men at Houston, and thereby gain control of all the railroad communications in Texas.

It appears that in January, 1863, the blockade of Sabine pass[8] was not considered effective by General Magruder, and on the 21st of that month he issued a proclamation inviting neutral nations to resume a commercial intercourse with that port.[9] The fact is that on the morning of that day the United States squadron sustained a reverse, and the blockade of Sabine Pass was temporarily destroyed by the capture of the *Morning Light* and the *Velocity* by two confederate cotton-clad steamboats, the *Josiah Bell* and the *Uncle Ben*. The engagement was fought outside the bar, and after a hot conflict of two hours the federal vessels surrendered.[10] The blockade, however, was soon resumed, and on April 18th of the

from Red river to the Rio Grande, and in the counties of Wise and Denton their bodies are suspended by scores from the Black Jacks.' *Hist. Civ. War*, ii. 536. See his account, page 537, of the massacre of about 40 German colonists, Aug. 10, 1862, on the Nueces river, out of a party of sixty who were endeavoring to make their way to Mexico.

[8] J. J. Jarvis, banker and stock raiser, residing at Fort Worth, Texas, says: 'Sabine Pass, perhaps, has superior natural advantages for a seaport city to any other point on the gulf coast of this state; deep water might be obtained there perhaps with smaller appropriations than any other point on the coast of Texas.' *Observ. Agric.*, MS., 8.

[9] *U. S. H. Ex. Doc.*, cong. 28, sess. 1, iv., no. 1, 331–3.

[10] Reports of Surgeon Sherfy and Acting Master Dillingham, in *Id.*, cong. 38, sess. 2, vi., no. 1, 493–8.

same year, a skirmish took place in which Lieutenant-Commander McDermot of the federal gun-boat *Cayuga*, who was reconnoitring the enemy's position, was killed and several men severely wounded. Since this time the confederates in Sabine city had been unmolested, and they erected a fort defended by a formidable battery of eight heavy guns, three of which were rifled.

General Banks, in pursuance of his plan for the conquest of Texas, placed 4,000 men under the command of Major General Franklin, with instructions to effect a landing at Sabine Pass, with the coöperation of the navy. The necessary transports were provided, and the steamers, *Clifton*, *Sachem*, *Arizona*, and *Granite City*, under Lieutenant Frederick Crocker, were assigned to support the movement. On September 8th these gun-boats with the transports crossed the bar. It had been intended to effect a surprise, and to make the attack at early dawn on the morning of the 7th; but this plan seems to have been disconcerted by want of unity of action, and the expedition appeared for twenty-eight hours off the pass before it moved against the enemy, who thereby became aware of the threatened danger.

Franklin, moreover, failed to follow his instructions, by which he was ordered to land his troops below the pass. Instead of doing so he arranged with Crocker that the gun-boats should first bombard the fort, expel the garrison, and drive off, or capture two cotton-clads of the enemy stationed in the river. This accomplished, the troops were to land and take possession. Accordingly the federal vessels steamed up and opened fire, which was not returned till they were abreast of the fort. There a heavy cannonade was directed against them, and the *Clifton* and *Sachem* were soon disabled, being struck in their boilers or steam-pipes. The *Clifton* ran aground, and in a short time both vessels hauled down their colors. This disaster decided the affair, which resulted in ignomin-

ious defeat on the part of the federals. The *Arizona* and *Granite City* backed out of the contest, and the transports being left unsupported, Franklin made no attempt to land. On trying to cross the bar the *Arizona* grounded, but succeeded in getting afloat at flood-tide. The transports also passed safely outside, and the expedition then returned to New Orleans, having lost two gun-boats, mounting fifteen rifled guns, and over 100 men in killed and wounded, besides at least 250 prisoners.[11] The garrison of the fort consisted of only 200 Texans, of whom no more than 42 took part in the action. These were presented by President Davis with a silver medal, the only honor of the kind known to have been bestowed by the confederate government.[12]

On the 26th of July 1863, General Houston, the soldier and statesman, the architect of Texan independence, breathed his last at his home in Huntsville, Walker county. His health had been declining for some time, and with a broken spirit he had watched for the last two years from his place of retirement, the current of the events which he had predicted. The spirit of the loyal south had pervaded even his own family, and his son Sam, who had enlisted early in the confederate ranks, had been wounded, and was a prisoner. This embittered the last days of the steadfast old patriot.

Though the ex-governor offered no active opposition to the victorious party after his deposal, his views as to the revolution and the possibility of its success underwent no change. Nor was he merely a silent and uninterested spectator; his voice was raised, from time to time, against the arbitrary proceedings of mili-

[11] The confederates reported having buried 28 of the federals. *Id.*, 365–8, 390–5; *Lossing, ut sup.*, iii. 221–2. According to the report of the secretary of the navy, the killed, wounded, and missing amounted to 107. *U. S. H. Ex. Doc.*, cong. 28, sess. 2, no. 1, 491–3, 495–6.

[12] It was made of a thin plate of silver, with the words 'Davis Guards' and a Maltese cross stamped on one side, and the place and date of the achievement on the other.

tary despotism. When martial law was proclaimed by General Hebert, he addressed a strong protest to Governor Lubbock, denouncing the proclamation. The general, he said, abrogated thereby all the powers of the executive, ignored the bill of rights, the constitution and the laws of the state, and arrogated to himself undefined and unlimited powers. The document was not published till many months after; but when it did appear, it produced a profound impression. At a later date when confederate paper was made the currency, Houston, in a public speech at Brenham, disapproved of the resolutions passed to force those who had lent their gold to receive in payment depreciated treasury notes; yet this is exactly what the men of the north were doing.

General Houston was endowed with great natural abilities, and gifted with no ordinary physical strength. His intuitive quickness of perception; his foresight and far-reaching mental grasp; his penetration and ready comprehension of the drift of parties, and his sagacity and tact in devising means wherewith to accomplish ends, were indeed exceptional. In self-possession and confidence in his own resources, he was unrivalled; his influence among the masses was extraordinary; and as a speaker, his power over a Texan audience was magical. Yet, as a public man, whether in a military or civil capacity, no leader had more bitter enemies, but at the same time none had warmer friends.

As president of the republic his administration was marked by economy, by a pacific policy in relation to the border Indian tribes, and by a defensive and not an aggressive attitude toward Mexico. He would rather feed Indians than kill them; was ever ready to ward off threatened invasion, and adopt protective measures against predatory incursions on the frontier, but not to organize such undertakings as the Santa Fé expedition. The enterprise attempted by Colonel Fisher and his followers in their attack on Mier was never contemplated by Houston.

In the senate of the United States, where he represented Texas for well nigh fourteen years, he was persistently conservative, attaching himself to the old democratic party. But when his associates began to drift toward secession, he could not follow them. His leniency toward the north first displayed itself in 1848–9. He voted against the extension of the Missouri compromise line to the Pacific coast, the non-passage of which bill virtually excluded slavery from the territories newly acquired south of 36° 30′. Moreover, he voted for the Oregon territorial bill with the slavery exclusion clause. For this he was assailed; but his constituents sustained him, as Texas, by virtue of the articles of annexation, was in no way affected by the measure. When, however, he voted against Douglas' Kansas and Nebraska bill, introduced into the senate in 1854, in which the doctrine of squatter sovereignty was upheld, giving territorial legislatures the right to decide on the question of slavery within their respective territories, Houston was abandoned by his southern adherents. Yet his support of the Missouri compromise on this occasion proved his unerring foresight. He contended that if the bill were passed, those territories would in any case exclude slavery. The north, with its large population, would pour into them a tide of emigrants which would inevitably make them free-soil states. And such was the result.

About this time, also, Houston became affiliated with the know-nothing party. He did not believe in his country being flooded with paupers and felons, with the scum and refuse of Europe. He was indignant that such an outcast class of aliens, after a few months' residence in the United States, should be admitted to all the rights and privileges of native-born Americans, crowding to the wall the true patriots,—the men of wealth and intelligence, and those who had shed their blood for their country. In a speech delivered at Nacogdoches, in December 1855, he

vehemently inveighed against the bill for the naturalization of foreigners, which allowed every alien the right to vote after six months' residence in the country. Was it, he asked, by such means as these that slavery was to be ingrafted upon Kansas? The south had given way to the evil, but his voice should never be raised in favor of allowing the vote of the foreigner, who had been but six months on United States' soil, to weigh against the vote of a native or naturalized citizen, in moulding the institutions of a sovereign state of the union.

Houston's know-nothing tendencies, and his opposition to the repeal of the Missouri compromise, naturally alienated many of his old democratic friends, and his popularity waned. At the election in 1857 he was defeated by Runnels, a propagandist of disunion sentiments, and an advocate of the re-opening of the African slave-trade; and though in 1859 he gained the victory at the polls, the majority of the legislature was opposed to him. His steadfast opposition to the confederacy worked his downfall.

The victor of San Jacinto was a truly great man. If Austin laid the foundation stone, Houston erected the edifice. Apart from his high intellectual capabilities, he possessed many of the noblest qualities that adorn the human character. His courage, his kindness, his scrupulous honesty in every official station which he occupied, and the open expression of his sentiments regardless of personal consequences can never be questioned. His enemies accused him of cowardice, because he had the firmness not to yield to hot-headed individuals, who would have driven him, if they could, to engage Santa Anna prematurely, and thereby have placed in jeopardy the independence of Texas; and because he scorned to resent with brute force the abuse that was heaped upon him by political and personal enemies, seeking his blood. His career is before the reader, who will be able to decide for himself this question of bravery. In both

of the battles in which he was engaged he was wounded while leading on his men; moreover, it cannot be said that Andrew Jackson was a person likely to bestow his regard upon a poltroon. But Houston was not blood-thirsty; and he possessed that higher kind of courage which enabled him to brave the contempt of a community which still held to the savagism that insults should be wiped out with blood.

In private life he was affable and courteous, kind, and generous. When thwarted, however, he became harsh, and not unfrequently vindictive. He never failed to repay with compound interest, sooner or later, any insinuation or coarse attack, and those who crossed his political pathway were chastised with a scathing invective which they never forgot. Acts of friendship and of emnity were equally retained in his memory, and met with corresponding return. Majestic in person, of commanding presence, and noble countenance, he was a striking figure in public and in private. Sorrow for the miseries of his country, poverty in his household, and a broken down constitution, saddened the days, as, shattered and worn—to use his own words[13]—he approached the narrow isthmus which divides time's ocean from the sea of eternity beyond. So straightened were his means that his family were often stinted for the necessaries of life. Some years after settling in Texas Houston again married, and at his death left a widow and seven children, the eldest of whom had not yet attained the age of majority.[14]

On November 5, 1863, Pendleton Murrah,[15] the

[13] In his last public speech, delivered March 18, 1863, in the city of Houston, in *Thrall*, 567.

[14] *Lester's Houston and his Rep.*, passim; *Thrall*, 400, 555–68; *Baker's Tex.*, 255–7; *Linn's Reminis.*, 258, 272–7; *Green's Reply*, passim; *Kennedy*, ii. 159–60; *Harper's Mag.*, xxxii. 630–5; *The Century*, Aug. 1884; *S. F. Bulletin*, Apr. 11, 1866, sup.; *Tex. Alm.*, 1859, 119–25; *Córdova's Tex.*, 178–9.

[15] Murrah was a native of South Carolina, a lawyer by profession. In early life he went to Alabama, whence he migrated to Texas, settling in

governor elect, was inaugurated, Fletcher S. Stockdale being lieutenant-governor.[16]

After the failure of the expedition against Sabine city, General Banks determined upon another to get possession of the Texan ports, break up the trade that was being carried on with Mexico through Brownsville and Matamoros, and put a stop to the evasion of the blockade by vessels sailing to and from the Rio Grande. Being the boundary between the United States and Mexico, this river was open to the navigation of both countries and could not be blockaded. Numerous schemes were projected to take advantage of the facilities thus offered, and under the disguise of neutral trade, Matamoros had become a great commercial mart for the Texans and European speculators.[17]

Late in October, 1863, Banks, supported by a naval squadron under Commander Strong, sailed with 6,000 troops from New Orleans for the Rio Grande, the immediate command, however, being given to General Napoleon Dana. On November 2d the soldiers were landed at Brazos Santiago, and Brownsville was taken possession of on the 6th. The occupation of Corpus Christi, of the confederate works at Aransas pass, and of Cavallo pass, and Fort Esperanza, at the entrance of Matagorda bay, speedily followed. By the end of December, Indianola and the Matagorda peninsula were in possession of the federals, only a faint show of resistance being made by the Texans, who withdrew from the coast defences west of the Colorado. At the beginning of 1864 the only places on the gulf coast of importance that remained in their possession were at the mouth of the Brazos

Harrison County. In 1857 he represented that county in the state legislature. On the surrender of the confederate armies in 1865, Murrah left the country and sought refuge in Mexico. He died in Monterey in July of the same year. *Thrall*, 408, 596.

[16] The votes polled for governor were: for Murrah, 17,511; T. J. Chambers 12,455; scattering 1,070—making a total of 31,036.

[17] Report of the secretary of the navy, Dec. 7, 1863. *U. S. H. Doc.*, cong. 38, sess. 1, no. 1, p. viii.

and Galveston island, both of which were too strongly defended to admit of the enemy making any attempt against them. The occupation of Brownsville effectually stopped the extensive trade carried on by the Texans through Matamoras, and on February 18th, President Lincoln, by proclamation, relaxed, conditionally, the blockade of that port. This possession of the forts of Texas was of short duration. After a few months' occupation the military forces were withdrawn, with the exception of a detachment left at Brazos Santiago, and the duty of guarding that coast henceforth devolved upon the navy, which succeeded in capturing several confederate vessels.[18]

Banks' expedition having failed, so far as its ultimate object, the repossession of Texas, was concerned, another plan was formed for the recovery of that state by an invasion on the north-east by the line of the Red river. The first object of this enterprise, which was conducted by generals Banks and Steele, was the capture of Shreveport, and the dispersion of the confederates in that region, which, being once accomplished, would open the road into Texas. This undertaking also failed. After occupying Alexandria, on March 23d, Banks directed his march toward Shreveport. A number of battles were fought, and at Sabine Cross Roads the federals sustained a serious defeat, which their subsequent victories at Pleasant Grove and Pleasant Hill could not repair. The advance of the national army was effectually checked. Banks retreated to Alexandria, and Steele to Little Rock. In these engagements the Texans played a prominent part. At the disastrous battle of Pleasant Hill, Sweitzer's regiment of Texas cavalry, about 400 strong, in making a desperate charge upon the enemy's line, was almost annihilated.[19]

[18] Report of sec. of the navy, Dec. 5, 1864, in *Id.*, cong. 38, sess. 2, vi., no. 1, pp. vi.–vii. 480–7, 489–90, 498–9, 508–9; *Lossing*, iii. 223–4.

[19] 'He was met by one of the most destructive fires known in the annals of war. Of his regiment, not more than ten escaped death or wounds.' An eye witness said that the federal infantry retained their fire till the cavalry were

In September, Brownsville was captured by her old enemy, Cortina, under somewhat peculiar circumstances. A French force about 5,000 strong took possession of Bagdad, at the mouth of the Rio Grande, with the object of capturing Matamoros, where Cortina was then in command. Brownsville was occupied by Colonel Ford with a considerable force of Texan cavalry, and Brazos Santiago was still held by the federals. On the 6th, the French force began to move up the right bank of the river, and their advance became engaged with Cortina, who had marched with 3,000 Mexicans and 16 pieces of artillery from Matamoros to meet them. There seems to have been some understanding between Ford and the French commander; for during the engagement, the former appeared on the other side of the Rio Grande with a large herd of cattle for the use of the invading army, and immediately crossing the river took part in the conflict by attacking Cortina's rear. The Mexican commander, however, succeeded in both repulsing Ford and driving back the French, who retreated to Bagdad. Cortina now turned his attention to Ford. On the 9th, he passed over his whole force, with the artillery, drove the Texans from Brownsville, and took possession of the town for the United States. The federal flag was hoisted, the commander at Brazos Santiago was informed of the event, and the town placed at his disposal.*

Governor Murrah did not find his position a sinecure. It was fraught with anxiety and care, trouble and annoyances, while the salary attached to it was paid in a currency which was only worth from three to four cents on the dollar. The functions of the

within forty yards, and then the 14th Iowa emptied nearly every saddle as quickly as though the order had been given to dismount. *Lossing*, iii. 961.

* *Fox de Maj.*, Sept. 22, 1864. The accounts of this affair are somewhat confusing, but agree in the above main particulars. It does not appear that the officer in command at Brazos Santiago sent troops to the mainland to occupy Brownsville. Nor is it likely that he could do so with his small force.

three branches of government were usurped. Military orders and congressional acts set aside state laws, and denuded him of his authority as the executive. As he was a firm believer in state rights and state sovereignty, he was soon involved in a labyrinth of difficulties. In the hope that some means might be devised to mitigate financial perplexities, harmonize conflicting interests, and promote coöperation between the state and the confederacy in the protection of industrial enterprises, the success of which would be of equal benefit to both, he convened the legislature to meet in extra session on May 11, 1864.

From his message of that date, a clear perception of the condition of Texas can be gained. In the preceding regular session, the legislature, for the purpose of sustaining the confederate currency, had made all appropriations in it, and authorized all taxes as well as state obligations to be paid therewith. The state government had discontinued the issue of treasury warrants to prevent them from being paid out in connection with confederate notes, and at the same depreciated rates. But the congress of the southern states had recognized the fact that the confederate currency was almost worthless, and had provided for its withdrawal from circulation. As a large accumulation of the worthless paper already existed in the state treasury, the future financial policy of Texas was a question of the gravest importance. The state could not afford to hold such currency and fund it in bonds, and the possibility of its being exchanged for the new issue was a matter that demanded immediate inquiry. Moreover, a revolution had taken place in the views of the general government and of the people. Specie was being recognized as the standard by which to determine the value of confederate paper money. From Richmond to San Antonio, the currency was treated as depreciated in every-day transactions, and the question arose whether Texas alone should continue to receive it at par with specie. While sustaining as

far as possible the confederate currency by making all reasonable sacrifices, nevertheless it was an object of the deepest importance to maintain the credit of the state. The resources and isolated position of Texas would enable her to carry a very large debt, and the preservation of her credit was important to the whole trans-Mississippi department. The regular payment of the interest on outstanding bonds ought to be made, and this could be done, provided that the state was unembarrassed, by the judicious purchase and sale of cotton.

The governor suggested that the collection of taxes under the existing regulation should be arrested. They might be collected, he said, in state treasury warrants, coupons of state bonds at par, specie, and confederate currency at the market value. Treasury warrants could be substituted for the coupons as they were paid into the treasury, and provision made for funding the warrants in six per cent bonds. The fact that the coupons were received in payment of taxes would probably increase their value, and at the same time diminish the cost of their redemption in specie. The legislature, however, either through inability, or through unwillingness to recognize the depreciation of confederate currency, devised no plan of relief, and all it did was to provide for exchanging its bundles of old confederate notes for the new issue.

The next matter which Governor Murrah brought under consideration was the complication which had arisen with regard to conscription. At the last session provision had been made for the organization of a state military force embracing all capable of bearing arms between the ages of eighteen and forty-five years not liable to confederate service, and also those between the ages of forty-five and fifty. This organization was never completed, and became a subject of disagreement between the executive and General Magruder, the military chief in command of Texas. The time for which those already in the service had

been drafted had not yet expired, and February 20, 1864, was mutually agreed upon between Murrah and Magruder as the day for the reorganization; the governor issued, January 23d, an order continuing those troops in service, and announcing to them that February 20th had been appointed as the day for their reorganization. This caused great discontent, and many of them left their posts; Magruder began to act independently, in face of the governor's orders, and an effort was made to enroll into the confederate army state soldiers between eighteen and forty-five years of age whose terms of service had not yet expired. The men enrolled in the state service had not been given to understand that, when their term expired, they were liable to conscription into the confederate army, and were consequently refractory. However, the governor and general came to an arrangement by which it was agreed that all state troops should be permitted at their option to form new organizations to serve for the war in the confederate army, and elect their own officers, or join existing organizations in that service; and that all who did not join either should be reorganized on February 20th as state troops, under the late state law. An order to this effect was issued February 4th, with the notification that all men liable to conscription would be allowed to remain in the state troops for the period of six months, at the expiration of which they would be transferred to the confederate service.

This difficulty was thus satisfactorily overcome; the state troops and conscripts rendezvoused at the headquarters of the respective military districts, and the reorganization of the companies was effected. But in the mean time, another and far more serious matter of dispute arose. The confederate congress had recently passed a new and sweeping act of conscription, and on its publication in Houston, about the middle of March, General Magruder refused to receive the newly organized state troops as state troops, although

tendered to him, expressing his determination to rely solely upon the congressional law for troops. It will be observed that the position assumed by Magruder involved the assumption that the laws of congress annulled state laws, and that confederate military officers had authority to break up an organization formed under an enactment of the legislature. Governor Murrah opposed any such views, and insisted that the Texans should go to the field as state troops until the legislature should meet and dispose of the embarrassing question. Magruder, however, was unyielding, and the governor considered himself under the necessity of disbanding the state troops, and by proclamation of April 12th called upon all those liable to conscription under the recent act of congress to volunteer, and organize in conformity with the confederate law, but as to ordering them to do so, he had, as he said, no authority. Thus, the state was without any military force, and this at a time when the enemy was threatening Texas on the north and northeastern frontier: the coast defenders had been mostly withdrawn to meet the foe in Louisiana; in no county was there a sufficient police force that could efficiently control the slave population, and prevent them from being tampered with, while in many portions of the country murders, robberies, and outrages were being daily committed. Under these circumstances, the governor was of opinion that minute companies should be thoroughly organized in the counties of all men between the ages of fifty and sixty years, and those exempt from service under the laws of the confederate congress. This system would supply an efficient police force, strengthen the local organization for the defence of the state, and retain a reserve of laborers that could give time and attention to domestic interests.

The governor then calls attention to the "fearful demoralization and crimes prevailing throughout the state." The picture which he draws of the social con-

dition of Texas during this period is truly frightful. Let his own words speak: "In some sections, society is almost disorganized; the voice of the law is hushed, and its authority seldom asserted. It is a dead letter —an unhonored thing upon the unread pages of the statutes. Murder, robbery, theft, outrages of every kind against property, against human life, against everything sacred to a civilized people, are frequent and general. Whole communities are under a reign of terror, and they utter their dreadful apprehensions and their agonizing cries of distress in vain. The rule of the mob, the bandit, of unbridled passions, rides over the solemn ordinances of the government. Foul crime is committed, and the criminal, steeped in guilt, and branded by his own dark deeds with eternal infamy, goes unwhipped of justice. Not even a warrant is issued for him—no effort made by the sworn officers of the law, or by the community, to bring him to punishment. Too often the deed is excused; the community is divided in opinion as to the guilt, and the criminal is screened from justice, unless his offending chances to touch some particular influence or prevailing notions, and then, without trial, and without the forms of law, he is hung by a mob."[21] This really worthy governor then remarks that the law was not at fault, and that if the officers and people would earnestly coöperate to root out these evils, the law would again become the "harmony of society, and secure it against this fearful confusion, and these fearful dangers." He exhorts the judiciary and all other officers to faithfully discharge their duties, and boldly declares that the severest penalties should be provided for the civil officer who neglected his sworn obligations.

In spite of this lamentable condition of Texas in a social point of view, her industrial prospects were far from unfavorable. Numbers of refugees from Louisiana, Arkansas, and Missouri, after the abolition of

[21] Message of Gov. P. Murrah to the extra session, May 11, 1864, no. 2, p. 14, in *Tex. Col. Doc.*, no. 2.

slavery, sought an asylum in Texas, which that law failed to reach, bringing with them their slaves. The consequence was that the year 1863 was marked by an unprecedented production of cotton and corn. Looms were supplied in ample abundance, great quantities of cloth were manufactured, and industrial enterprises undertaken on an extensive scale. Capital was employed by associations and chartered companies for the manufacture of iron and other articles for home consumption and the use of the army, and machinery for manufacturing purposes were introduced. But the producers were called upon to make sacrifices so great that their patience became exhausted. The demand for cotton, both by confederate officers and the state military board, was imperative, and the planter was called upon to sell one half of his staple for state bonds bearing seven per centum interest. Means of transportation to the Rio Grande were scarce and expensive, and it was generally conceded that the cost of transferring cotton thither from any distance in the interior was equal to one half of its value, losses and wastage being considered.[37] Moreover, serious embarrassments occurred between the confederate and state authorities, and cotton transported under the state regulations was interfered with on the Rio Grande. Horses and mules were impressed for the use of the army, and all surplus corn was appropriated. A gloomy sentiment began to prevail. Many terrible battles had been fought, and it was felt that the end was drawing near.

The latter part of 1864 was disastrous to the confederate arms, and during the first six months of the following year the catastrophe came. After the surrender of generals Lee, Johnston, and Taylor, in

[37] The system adopted by Gov. Murrah was as follows: The vender transported his cotton to the Rio Grande at his own expense and risk. One half of it he retained for his own use, and for the other half he received state bonds at its specie value. He had, moreover, to pay the tithe imposed by the confederate congress, and the export duty. *Gov. Murrah's Mes.*, 16, no. 2, in *Tex. Cal. Rec.*, no. 2.

April and early in May, a battle was fought in Texas, where the struggle was still prolonged. General Kirby Smith addressed, April 21, a proclamation to his soldiers. "You possess the means," he said, "of long resistance. Protract the struggle, and you will surely receive the aid of nations who already deeply sympathize with you." In Texas public meetings were held and resolutions adopted to continue the war. A large federal force was set in motion against Texas under Sheridan; but on May 26th Kirby Smith surrendered his command to General Canby, before the unionists had reached their destination.[23]

Meantime on May 13th, the engagement above alluded to, the last in the war, was fought near the old battle-field of Palo Alto, the scene of Taylor's victory over Arista. The confederates were stationed at Palmetto, and Colonel Theodore H. Barrett who was in command at Brazos Santiago, sent on the 11th 300 men under Lieutenant-Colonel Bronson to attack them. Early in the morning of the 12th Bronson assaulted the enemy's camp, drove him from it, and captured a number of horses and cattle. He then fell back, and on the 13th was joined by Lieutenant-colonel Morrison with 200 men. The confederates had again assembled at Palmetto rancho in force, and were commanded by General J. E. Slaughter. Colonel Barrett now took command of the federal force in person, and advanced against the foe, who was again driven from his position. About four o'clock in the afternoon, however, the federals were assailed in front by a strong body of infantry with six 12-pounders, while a squadron of cavalry succeeded, under cover of the chaparral, in flanking them. Barrett's position was critical, and retreat was his only alternative. For three hours a running fight was maintained without the confederates being able to break the federal line, and at sunset they retired.[24]

[23] Report of the sec. of war, in *Mess. and Doc., Abridg.*, cong. 39, sess. 1, 702–3. Generals Magruder and Smith surrendered formally the Trans-Mississippi department on May 6th. *Thrall*, 407.

The last shot in the great civil war had been fired.

Col Barrett reported his loss in this expedition to be four officers and 111 men killed, wounded, and missing. *Lossing*, iii. 579 80.

The reader will find in the following a more extended list of authorities consulted. Those having an official character are: *U. S. Laws; U. S. Statutes; Congr. Globe.; Sen. Ex. Docs.; Sen. Jour.; Sen. Miscel. Docs.; H. Jour.; H. Ex. Docs.; H. Miscel. Docs.; H. Com. Rep.; Census Reps.; Mess. and Docs.; Acts and Res.; Ind. Affair Rep.; Sec. Int. Reps.; Charters and Constitutions; Sec. War Reps.*: to the indices of which reference is made for Texan affairs during the period. Texas state documents are *State Gaz.; Legisl. Jour's.; Houston's Mess. on S. C. Resolutions; Id., on Secession; Mess. Gous.; Tax Laws, Constitution; Comptroller's Reps.; Penal Code; Land Office Reps; Adjt-Gen. Reps.; Code Crim. Proced.; Rep. Com. Pub. Safety; Tex. vs Money*, 92 pp.; *Tex. vs Cooper*, 190 pp.; *Tex. vs Newcomb*, 102 pp.; *Tex. vs Scott*, 179 pp.; *Houston City Charter*, 1871, 140 pp.; *Throckmorton's Final Rep.; Galveston; Act to Incorp.*, 1876, 44 pp. The following are works of a non-official character. *Cordova's Tex.*, passim; *Jenkin's Mex. War; Id., Life of Polk*, 263–386; *Tex. Almanac*, 1857–61, 1868, see indices; *Kennedy's Tex.; Lossing's Civ. War*, i. 62 273; iii. 221 4, 251 69, 579 80; *Houston's Tex.*, i. 255–314; ii. 88–258; *Id., Life of*, 17–402; *Holly's Tex.*, 125–50; *U. S. Repub.*, 62 269; *Peterson's Mil. Heroes*, ii. 29 80; *Henry's Campaign Sketches*, 75–115; *Murray's Hist. U. S.*, 468–99; *Montgomery's Life of Taylor*, 60 373; *Olmstead's Journey*, 42, 463 516; *Patton's Hist. U. S.*, 691–704, *Porter's Rev. of Mex. War*, 52–79; *Ramsay's Other Side*, 24–57; *Meryl's Hist. Tex.*, passim; *Thrall's Tex.*, passim; *Ripley's War Mex.*, 16–29, 100 2; *Taylor and his Staff*, 23–36; *Furber's Volunteers*, 120–87, 241–6; *Jones' Repub. of Mex.*, 23–648; *Wilson's Amer. Hist.*, 619–68, *Willard's Tex.*, passim; *Harrison's Battle Fields*, 339–46; *Livermore's War with Mex.*, 187 200; *Prairiedom*, 19–166; *Thorpe's Army on Rio Grande*, 73–111; *Mayer's Mex. Az.*, i. 330–9; *Id., Mex. War*, 87–149; *Niles' Reg.*, see indices during the period; *Harper's Monthly Mag.*, xxvi., 557; xxxii., 630–5; *Jay's Mex. War*, 121–43; *Linn's Reminis.*, 348–54; *McCall's Letters*, 429–56; *Mansfield's Mex. War*, 19–43; *Hunt's Address to the People of Tex.*, 1–83; *Id., March. Mag.*, vols. xix. to xl., see indices; *Putnam's Mag.*, iii. 170–80, 252–60, 365–78; *Testimonials, Mem. Hist. Mex.*, MS., iv. 200–51; v. 64–5; *Lond. Geog. Soc. Jour.*, xiii. 199–226; *Moore's Descrip. Tex.*, 8–14, 38–41; *Yoakum's Hist. Tex.*, 289–91, 341–58, 380, 436; *Taylor's Rough and Ready Alm.*, 7–20; *Cole, Battles of*, 17–30; *Duncomb's Miss. Advent.*, 8–243; *Id., Hist. du Mex.*, 207–10; *Disraeli's U. S. Rep.*, 1861–2, 61–4, 83; *De Bow's Rev.*, xiii. 53–6; xvi. 473–6; xvii. 168–9; xix. 157–8, 201–5, 578–87; *North's Five Years in Tex.*, 92–154; *Cremony's Life among Apaches*, 13–34; *Kendall's Narr. of Tex. and Santa Fe Exped.*, i. 13 173; *Downs' Letters from Tex.*, 148–52, 247–51, 298–303; *Edward's Tex.*, 41–53; *Fourmel, Comp. D'Oeil*, 23–57; *Dodge's Plains of West*, 48–32, 131, 152, 391–4, 403–4; *Howard's Speech U. S. H. Rep.*, June 11, 1850; *Frost's Life of Taylor*, 97–195; *McCabe's Comp. View*, 158–9, 765; *D'Orbigny, Hist. Gen. des Voy.*, iii. 358–62; *Mason's Speech U. S. Sen.*, May 27, 1850; *Fisher and Colby's Amer. State Annual*, 1854, 394–9; *Lester's Houston and his Repub.*, 155–85; *Gouge's Fiscal Hist. Tex.*, passim; *Frost's Tex. War*, 10–24, 51–4; *Id., Pict. Hist. Mex.*, 194–253, 467; *Guerra entre Mex. y Estad. Unid.*, 31–46; *Tejas Dict. de la Cuest.*; *Catl's Campaign Cal. and N. Mex.*; *Democratic Rev.*, xvi. 419–28; *Grattan's Civ. Amer.*, ii. 263–78; *Parker's Notes Siemans' Service Afloat*, 62–74; *Rose Tex. Brigade*, Louisville, 1881, 185 pp.; *Rules adopted by Dragoons*, 102–13, 514–16; *Graham's Mex.*, xlvii., 369–70; xlviii. 174; *Gallatin's Peace with Mex.*, 15–23; *Boring, Tex.*, 10–13; *Freeman's Speech in Congr.*, Aug. 13, 1850; *Robertson's Rambles, Camp in Mex.*, 49–53; *Pop. Var.*, 99, no. 2, 20; 105, no. 7; 107, no. 2, 10; 167, no. 10; 175, no. 12; *Pikeville, Rep. of Sup. Ord.*, no. 16., 16–21; *Id., Hist. Guerra Tex.*, ii. 232–9; *Thompson's Rural Mex.*, 70–3; *Frankel's Cent. Amer.*, 424–7, 442–50; *Mosquito Route and Tex.*, 39–65; *Monette's Val. of the Miss.*, ii. 579–95; *Tex. Ens.*

Direc., 1878–9, 279–89; *Tex. Ult. Comunic.*, 3–22; *Bonnell's Top. Descrip. Tex.*, 7–122; *Rusk's Speech*, 1–14; *Rivera, Hist. Jalapa*, iii. 515–16; *Burke's Tex. Alm.*, 1878, 1882, 154; *Smith, Notice sur la Geog. du Tex.*, Paris, 24 pp.; *Peeler and Maxey Hist. Mercer Colony*, 104–6; *Peña y Peña, Comunic. Cust. Tex.*, 44 pp.; *Mex. War; Complete Hist.*, 19–27; *Mission. Life in the 19th Century*, 208–16; *Corbett's Leg. Manual*, 282; *Gleason's Hist. Cath. Church*, ii. 158; *Benton's Deb. in Cong.*, xvi. 590; *Marcy's Army Life*, 170; *McClean's Speech in Cong.*, June 5, 1850; *Molhausen, Tagebuch*, 104–71; *Hanford's Tex.*, *State Reg.*, 1876–9, see indices; *Rocks' S. W. Tex.*, 21–37, 242, 249, 260–1; *Sleeper and Hutchins' Waco*, Waco, 1876, 171, pp.; *Merrick and Durant's Mem.*, Austin, 1879, 57 pp.; *Mercantile Agency An.*, 1871, 136–7; *Tex. and her Capabilities*, 15–16; *Maxey's Speech Ind. Affairs*, Wash. 1876, 15 pp. Numerous Mexican and American newspapers have been examined.

CHAPTER XVIII.

THE RECONSTRUCTION PERIOD.

1865–1870.

GOVERNOR HAMILTON—THE QUESTION OF FREEDMEN'S RIGHTS—LAWLESSNESS IN TEXAS—EMANCIPATION OF SLAVERY DECLARED IN TEXAS—ITS EFFECT—THE STATE CONVENTION—THROCKMORTON ELECTED GOVERNOR—A BOLD MESSAGE—LAWS PASSED BY THE LEGISLATURE—DISCORD BETWEEN PRESIDENT JOHNSON AND CONGRESS—A RIGOROUS ACT—TEXAS UNDER MILITARY RULE—JUDICIAL DISTRICTS—THROCKMORTON'S DIFFICULTIES AND REMOVAL—HIS VIEWS ON THE POSITION—PEASE APPOINTED GOVERNOR—CHANGES OF MILITARY COMMANDERS—REGISTRATION QUESTIONS—THE RECONSTRUCTION CONVENTION—DISAGREEMENTS—THE GENERAL ELECTION—AMENDED CONSTITUTION RATIFIED—DOINGS OF THE LEGISLATURE.

AFTER the formal surrender of Smith and Magruder, Governor Murrah retired to Mexico, and on June 19 1865, General Granger, of the United States army, assumed temporary command. On the 17th of that month President Johnson, in pursuance of his plan of reconstruction, appointed Andrew J. Hamilton[1] provisional governor of Texas. As a preliminary step to the reorganization of the subdued states, the president had removed, on April 29th, certain commercial restrictions, and on May 29th issued a proclamation granting an amnesty, with certain exceptions, to persons who had been engaged in the rebellion, on condition of their taking an oath of allegiance.

The provisional governor arrived at Galveston at the end of July. He was clothed with the power to

[1] Hamilton was a native of Alabama, and came to Texas in 1846. Was attorney-general in 1849, and later a member of the state legislature. In 1859 he was elected to congress, where he opposed secession. During the war he left Texas. He died at Austin in April 1875. *Thrall*, 549–50.

reorganize the state government, assemble a convention of citizens who had taken the amnesty oath, and provide for the election of representatives to the national congress. Accordingly boards of registration were established in the different counties, with authority to administer the oath, and register all persons who, from their loyalty to the United States, would be allowed to vote. State, district, and county officers were appointed, and under the circumstances, Governor Hamilton gave general satisfaction. But confederate principles and hopes were as yet far from dead in Texas, and the anti-union portion of the community began to grow anxious as they watched the action of the president. It was soon feared that Hamilton was more an agent of Johnson than the real governor of Texas, and that the easy manner in which confederates, known to be still hostile to the union, were registered as voters, would enable such to control the state.

The all-absorbing question was the future condition of the freedmen. Were they to enjoy the rights of citizenship, and the elective franchise, or to be regarded merely as aliens? On January 31, 1865, the house of representatives had adopted the thirteenth amendment of the national constitution,[2] which had already passed the senate during the preceding session, and there was no doubt that future legislation would be directed toward securing to the freedmen all the rights of citizenship.

President Johnson displayed a leniency toward the subdued confederates, and an attitude that could only be regarded as friendly to them by the clear-sighted observer. Profuse with his pardons,[3] many promi-

[2] The following is a copy of the amendment:

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

[3] During the years 1865 and 1866 pardons were extended to over 600 Texans included in the classes of exemption under the amnesty proclamation. *H. Com. Rept*, cong. 40, sess. 1, no. 7, 1029–43.

neat and influential secessionists were placed in the same rank with unionists; and he showed an inclination hastily to secure the return of the revolted states into the union, before any further provision in favor of the freedmen's franchise could be made, in order that their pressure might be felt in congress.

With regard to the unionists in Texas they were placed in a peculiar position. After the confederate troops were disbanded, the men with union sympathies were looked upon as traitors to their country, and many outrages were committed by disbanded soldiers and banditti. Toward the union troops quartered in the towns an intense hatred was felt by most of the citizens. The military force which occupied Texas was not adequate to suppress the lawlessness which prevailed in many parts of the country, and it was only in the vicinity of the garrisoned towns and posts that security of person and property was sustained. In the courts justice was warped to favor those who had fought for home and country in the south.[4]

At the beginning of the war there were about 275,000 slaves in Texas, and during its progress about 125,000 were sent thither from the southern states in order to secure them from the federal forces. Thus at the close of the war there was a slave population of 400,000 in the country, distributed for the most part on the plantations situated on the Sabine, Neches, Trinity, Brazos, and Colorado rivers. As soon as General Granger took military possession of Texas he proclaimed the emancipation of the slaves, and at once a great surging movement of the hitherto servile population took place. The negroes could not fully realize that they possessed their freedom without practical proof that such was the case. They

[4] Gen. Custer testified, March 10, 1866, before the 'Reconstruction Committee,' thus: 'Since the establishment of the provisional government in Texas the grand juries throughout the state have found upwards of 500 indictments for murder against disloyal men, and yet not in a single case has there been a conviction.' *Report Joint Com. Reconst.*, cong. 39, sess. 1, pt iv. 75.

left the plantations on which they had toiled so long and roamed in crowds from place to place in assertion of their new right; they flocked to the freedmen's bureau[5] for registration; and a tide of black men who had been brought into Texas during the war, set in toward Louisiana in search of their old homes to which they were anxious to return. During their journey they met with much suffering. A deep bitterness was entertained toward them by their former masters, who tried to constrain them to remain on the plantations, and numbers of them were killed.[6]

Nevertheless, when the excitement subsided, they returned to work, and by the beginning of 1866 it began to be seen that free labor would soon prove a success in Texas. The plantation owners were compelled to yield to necessity, and offered them terms which promised to ensure steady labor.[7]

As regards the disposition of Texas toward the union, it is safe to say that the feeling was less bitter here than in any other part of the confederacy. A large portion of the population, whose voices had been hushed during the long struggle, were still unionists at heart; the German inhabitants, estimated at 40,000, had ever been for the union, and no small proportion of the secessionists themselves, having fought the fight and lost, were ready to accept their defeat and the new order of things. The refractory

[5] An act establishing a bureau, in the war department, for the relief of freedmen and refugees was approved March 3, 1865. *Cong. Globe*, 1864–5, ap. 141. Branches of this department were established in Austin and other places in Texas, as elsewhere in the other southern states. On the same day an act to incorporate the Freedmen's Savings and Trust Company was approved.

[6] Gov. Hamilton stated that he had information of the dead bodies of freedmen being found here and there throughout the state—some in the creeks, others floating down streams, others by the roads—amounting in all to about 260 up to the middle of Jan. 1866. Testimony of John T. Allen, in *Report, ut sup.*, pt iv., 88.

[7] Wages $20 a month, or ⅔ the cotton or ¼ the corn crops. G. W. Littlefield, a resident of Austin, and a cotton grower under both the slave and free systems of labor, says: 'After the war closed we used the same labor on the plantations by paying a percentage of the crop raised. Under good management at that time we calculated to make from ⅓ to ½ bale of cotton per acre. *Remarks, Cattle and Agric.*, MS., 1-2.

spirit manifested during the days which succeeded the occupation of Texas by the victors was due, in a great measure, to the fact that her territory had never been made the seat of war. The people could not brook the restraint which was now imposed upon them; while it must be admitted that the conduct of the federal officers in the discharge of their duties, especially in the treasury department, afforded just grounds for irritation and complaint.[a]

On January 8, 1866, an election was held for delegates to a state convention to form a new constitution. There was no excitement, and little interest was shown. Governor Hamilton in his message to the convention, which met on February 10th, declared that the apathy of the people filled him with deep concern, and stated that there was reason to believe that less than half the voters had participated in the recent election.

Having elected J. W. Throckmorton president, and W. L. Chalmers secretary, the convention proceeded with its labors, and the new constitution was completed by April. In it every measure that was demanded as a prerequisite for readmission into the union was adopted. The abolition of slavery was recognized,[b] and freedmen were allowed the right to make contracts; to sue in the courts; to acquire and

[a] It was a common practice of the agents of the treasury department to seize cotton on the pretext that it belonged to the late confederate states; to refuse to give the party who owned the cotton a paper designating the weights of the bales, and subsequently return the claimant the same number of bales taken from him after abstracting a portion of the cotton. In other cases permits to ship cotton were not respected, and bribes exacted before it was allowed to be shipped. Again, permits were often refused, and persons employed to purchase the cotton at reduced prices. Such conduct afforded a pretext for sedition and turbulence. Testimony of T. J. Mackay, May 18, 1868, in *H. R.*, 157.

[b] 'Art. VIII. African slavery, as it heretofore existed, having been terminated within this state by the gov. of the U. S. by force of arms, and its re-establishment being prohibited by the amendment to the constitution of the U. S., it is declared that neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted shall exist in this state.' Copy of the amended constitution will be found in U. S. charters and constitutions ii., 1784–1891.

transmit property; and to testify as witnesses in civil and criminal cases. The convention, moreover, passed ordinances declaring the act of secession null; repudiating the war debt of the rebellion; proclaiming the permanency of the union, and the supremacy of the laws of the United States; and assuming the direct tax levied upon the state by the United States.[10] The amended constitution was submitted to the people and ratified June 25th.[11] On the same day the general election was held, and J. W. Throckmorton[12] was chosen governor and G. W. Jones, lieutenant-governor.[13]

On August 18th, Governor Throckmorton, having been duly inaugurated, sent in his first regular message. After alluding to the outrages perpetrated by lawless characters following the disbandment of the confederate army, and congratulating the country upon their end, he supplies the legislature with a financial statement of the condition of the treasury, the available funds in which amounted to $90,028, of which $31,399 were in specie, and the balance in United States currency. He then calls attention to

[10] During Hamilton's administration a tax of 12½ cts on the $100 was collected. *Thrall*, 411.

[11] For the amendments 28,119 votes were cast, and 23,400 against them. *Tex. Alm.*, 1867, 262.

[12] Throckmorton was born in Tenn. in 1825, and migrated to Texas in 1841 with his father's family; was in the legislature from 1851 to 1856 when he was elected to the senate where he remained till 1861. He was a member of the secession convention, and was one of the seven who voted against secession. He was true to Texas, however, when the die was cast, and raising a company joined the confederate army. He took part in the battle of Elk Horn, and afterward served under General Dick Taylor. In 1864 Gov. Murrah assigned to him, with the rank of brig.-gen., the command of the northern frontier. In 1865, Gen. Kirby Smith appointed him general Indian agent, and he made a treaty with numerous tribes very favorable to Texas. In 1866 he was elected a member of the first reconstruction convention, and chosen president of that body. *Thrall*, 625–6.

[13] For gov., Throckmorton obtained 48,631 votes against 12,051 cast for E. M. Pease. S. Crosby was elected commissioner of the general land office; W. L. Robards, comptroller; and M. H. Royston, treasurer. The votes cast for amendments to state constitution were 28,119 and against them 20,400. *Tex. Alm.*, 1867, 278. The white population of Texas at this time was probably about the same in number as in 1860, which according to the census was 420,890. Estimating the number of voters at one-fifth of the population it will be noticed how many absented themselves from the polls.

the alarming loss of life, which had occurred within the last three months, along the entire frontier line, owing to inroads made by the Indians, and to the fact that a considerable number of children had been carried into captivity. The legislature, he urges, should appropriate a sum of money for the redemption of these captives, and devise some means for the protection of the frontier, in the event of a failure to get the necessary assistance from the United States government.

In order to ensure a future supply of labor on which the prosperity of the country depended, he recommended that laws should be passed, carrying out the objects of the ordinance "authorizing the appointment of a commissioner of statistics, for the promotion of immigration." With regard to the freed blacks, he remarked that every effort should be made to impress upon them that their labor was desirable; and that laws should be passed carrying out the intention of the eighth article of the constitution, in securing to them protection of person and property. He adds: "It is desirable that all military force, and the agents of the freedmen's bureau should be withdrawn from the interior of the state. The most certain way to effect this object will be the enactment of just laws for the protection of the blacks, and their rigid enforcement."

But considering the position of affairs, no part of the message is more striking and pregnant with future trouble than that which touches upon the amendments to the constitution of the United States. Submitting a copy of the joint resolution of congress, proposing to the several states a thirteenth article to the federal constitution,[1] the governor remarked that the article, having been already ratified by the requisite number—three fourths—of states, had become a law of the land, and being no longer an open question, he did not consider it necessary that the legisla-

[1] Abolishing slavery. See note 2 this chapter.

ture should take any action upon the matter. He also enclosed an attested copy of a resolution of congress, proposing to the legislatures of the several states a fourteenth article to the constitution, deeply affecting the status of the late seceders. With regard to this amendment he does not hesitate to express his unqualified disapproval, it being, in his opinion, unwise and unjust. "To say nothing of its harshness," he continues, "the effect of the adoption of the third section[15] of the article will be to deprive the state, for nearly a quarter of a century, of the services of her ablest and best men; at a time and amidst circumstances which render these services more important than at any period of her history. I recommend the unqualified rejection of the proposed fourteenth article."[16]

The legislature acted on Throckmorton's suggestion, having submitted the separate questions to special committees, which endorsed his opinions. The first named amendment was respectfully returned to the secretary of state, without any action being taken upon it, and the fourteenth amendment was rejected by a vote of 67 nays against five yeas.

Numerous laws for the internal improvement of the state were passed at this session, which continued during the months of August, September, October, and November. For the protection of the frontier, an act was passed providing for three battalions of Texan Rangers, each consisting of five companies, each 100 strong. County courts were organized, and the salaries of the judges and officials connected with them assigned. A general apprentice law provided that

[15] It is as follows: 'Sec. 3. No person shall be a senator or representative in congress, or elector of president or vice-president, or hold any office, civil or military, under the U. S., or under any state, who, having previously taken an oath as a member of congress, or as an officer of the U. S., or as a member of any state legislature, or as an executive or judicial officer of any state, to support the constitution of the U. S., shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But congress may, by a vote of two thirds of each house, remove such disability.

[16] Copy of Gov. Throckmorton's message in no. 3 of *Tex. Col. Doc.*, no. 2.

minors could be bound as apprentices with the consent of the parents or guardians, or without their consent if the minor agreed in open court to be so bound. Another enactment granted a lien on crops and stock for advances made to assist in producing the crop. Other laws provided regulations with regard to labor contracts, and for the punishment of persons tampering with laborers or apprentices, or enticing them away from work. Income, salary, and license taxes were established, and the rates defined. Vagrancy was defined,[17] and punishment proscribed. An act, called the Stay Law, was passed, regulating the collection of debts,[18] and another regulating the duties of assessors and collectors. The judicial districts were changed, and the number of them, which had previously been twenty, was reduced to fifteen.[19] Provision was made for the education of indigent white children; fines were imposed upon any person laboring or hiring others to work on the sabbath, engaging in horse-racing or games, selling spirituous liquors, gambling, hunting game, or carrying on trade on that day.

Nor did the legislature fail to adopt such measures as were deemed conducive to the progress of the country. Skilled labor and capital were invited into the country; acts were passed for the benefit of exist-

[17] Under this head the act ranked fortune-tellers, exhibitors of tricks in public without license, prostitutes, professional gamblers, beggars not afflicted by physical malady, drunkards who did not support their families, and persons strolling about without employment. The laws of the 11th legislature, in a condensed form, will be found in *Tex. Almanac*, 1867, 244–71.

[18] This act provided that on all judgments rendered prior to Jan. 1, 1867, the debtor should have 12 months thereafter within which to pay the plaintiff one fourth part of the judgment and costs. If within that time the debtor paid the amount specified, then he should have 24 months from Jan. 1, 1867, within which to pay one third of the remainder; and so on, by similar instalments and extensions of time, till the whole debt was paid.

[19] The judicial districts were reorganized for the express purpose of legislating out of office judges who were staunch unionists. Ashbel Smith of Houston, one of the leading men of the house, as well as other speakers, stated that the districts had been so reorganized as to legislate out of office Stribling and Baine, whom he denounced as radicals, and regret was expressed that the districts could not be so arranged as to exclude Judge Norman. All three were union men. *U. S. H. Ex. Doc.*, cong. 4, sess. 1, no. 20, 90–2, where will be found a list of the judges, and the judicial districts as they stood before the passage of this act.

ing railroad companies, granting extensions of time to complete their contracts, and sections of land to assist them in their undertakings; and other companies, engaged in a variety of enterprises, were incorporated.[20]

In relation to the United States troops stationed in Texas, a joint resolution set forth that their presence was not only unnecessary, but the source of much evil,[21] and as the people of Texas had returned to their allegiance, the governor was requested to use all proper means to obtain the removal of said troops from the towns to the frontier, for the protection of which they were greatly needed.

Under the plan pursued by President Johnson, state governments had now been established in all the confederate states. But congress was not in accord with the president. The former considered that as those governments had been set up without its authority, they had no constitutional validity; they were under the control, it was maintained, of unrepentant leaders of the secession, and afforded no adequate protection for life or property. On March 2, 1867, an "act to provide for the more efficient government of the rebel states," was passed by congress over the veto of the president. By this act the ten

[20]Among which may be mentioned the Houston and Harrisburg Turnpike co., capital stock $500,000; the Eureka Manufacturing co., for the manufacture of cotton and wool, capital stock, $250,000; the Houston Direct Navigation co., capital $150,000, with authority to increase the stock to $1,000,000; and the Texas Land, Labor, and Immigration co., capital stock $1,000,000. *Id.*, 264–7. No less than 171 acts of incorporation were passed, of which 30 were of manufacturing companies, 17 of railroad companies, 16 of cities, 16 of academies, colleges, etc., 12 of clubs, literary societies, etc., and 70 of companies for insurance, building canals, bridges, and wharves, navigation, deepening channels, gas, cotton-presses, telegraphs, and including about 20 petroleum companies. *Tex. Alm.*, 1867, 271.

[21]Ill feeling continued between the U. S. troops and the inhabitants, the former on many occasions conducting themselves in an overbearing manner. On the evening of Sept. 7, 1866, owing to trouble caused by some drunken soldiers, a scrimmage took place between them and the citizens of Brenham, in which two of the former were wounded by pistol-shots. At a later hour, a number of soldiers entered the town, and set fire to the store of one of the merchants. The conflagration spread, and a portion of the town was reduced to ashes. The losses incurred amounted to $131,026. *U. S. H. Ex. Doc.*, cong. 41, sess. 3, xii. no. 145.

states were divided into five military districts,[1] and made subject to the military authority of the United States. The power with which the commander of each district was vested was extremely ample—so much so that the president in his veto, classified it as that of an absolute monarch.[2] He could organize military tribunals to try offenders, and all interference of state authority was pronounced null and void. In all respects the act was severely stringent. It was declared that no state under the ban would be entitled to representation in congress, until it had formed a constitution of government in conformity with the constitution of the United States, framed by a convention of delegates elected by citizens of whatever race, color, or previous condition, except such as were disfranchised for participation in the late rebellion. Such constitution was to provide that the elective franchise should be enjoyed by all persons, irrespective of race or color. It was made compulsory for a state, by a vote of its legislature elected under that constitution, to adopt the amendment to the constitution of the United States, known as article fourteen; and until the people of the rebellious states were admitted to representation in congress, any civil government would be deemed provisional only, and subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede it.

General Sheridan was appointed to the command of the fifth district, and before long over 4,000 soldiers were distributed in the towns and military posts of Texas,[3] under General Griffin, with headquarters at Galveston, to whom the reorganization of the state was entrusted.

[1] Virginia constituted the first district; N. Carolina and S. Carolina the second; Georgia, Alabama, and Florida, the third; Mississippi and Arkansas, the fourth; and Louisiana and Texas the fifth district. Copy of the act in *U. S. Acts and Resol.*, 1866–1867, 60–2.

[2] A copy of the veto will be found in *Cong. Globe*, 1866–67, pt 3, 1969–72.

[3] The different places and number of troops stationed at each will be found in *U. S. Report Sec. War*, i. 479–2; cong. 40, sess. 1

In view of Governor Throckmorton's expectations, as indicated in his message, and the action taken by the legislature, this change in affairs was bitterly unpalatable, more humiliating in some respects than the war itself. Nevertheless, he hastened to assure General Sheridan, by date of March 30, 1867, that though the people, with very little division of sentiment, regarded the terms imposed upon them as onerous and oppressive, they were yet determined to abide by the laws and comply with them. At the same time he expressed his intention to lend a prompt assistance, when in his power, to carry into effect the prerequisites for representation, and advise the people to participate in the reorganization with good feeling.[25] But Throckmorton was a marked man. As early as March 28th Griffin advised his removal. "I cannot," he said, "find an officer holding position under the state laws, whose antecedents will justify me in reposing trust in him in assisting in the registration." He states that he had again and again called the notice of the governor to outrages perpetrated on union men, but knew of no instance in which the offender had been punished. At a later date he explains that efforts were made to exclude union men from the jury boxes, to prevent which he issued a circular order, prescribing a form of oath, which virtually excluded every person that had been connected with the confederacy, from serving as a juror.[26]

Much dissatisfaction and injustice being caused by the late act of the legislature, reducing the judicial districts from twenty in number to fifteen, whereby justice could not be properly and promptly administered, an order was issued reëstablishing them as

[25] See his letter to Gen. Sheridan in his *Final Report*, no. 11, p. 71–2, in *Tex. Col. Doc.*, no. 2.

[26] Copy of the order in *U. S. H. Ex. Doc.*, cong 40, sess. 1, no. 20, 73–4. This circular order, no. 13, was seized upon by some state officials, who attempted to make it appear that the courts were closed by the enforcement of it. The form of oath prescribed was that of 1862 copy of which is given elsewhere

they existed before the passage of the objectionable ordinance."[1]

Governor Throckmorton complains to General Griffin, April 5th, that certain papers were "filled with columns of abuse of himself and other officers," and states that, though he did not feel called upon to reply to those slanderous attacks, he would be gratified to exhibit all his official acts to the authorities of the general government. But differences arose between the governor and the military commander at every move. Nevertheless it is evident that the former was really desirous of adjusting himself and the state to the new system of reconstruction adopted by congress in opposition to President Johnson's views."[2]

The important question of registration, the appointment of registrars,[3] the election of judges and high

[1] The districts were as follow: District No. 1, Fayette, Colorado, Wharton, Fort Bend, Brazoria, Matagorda, and Austin; No. 2, Travis, Hays, Guadalupe, Caldwell, and Bastrop; No. 3, Washington, Brazos, Burleson, and Milam; No. 4, Comal, Kendall, Kerr, Blanco, Gillespie, and Bexar; No. 5, Newton, Jasper, Sabine, Shelby, San Augustine, and Nacogdoches; No. 6, Wood, Upshur, Harrison, Panola, and Rusk; No. 7, Walker, Grimes, Harris, Montgomery, and Galveston; No. 8, Red River, Bowie, Davis, Titus, Hopkins, Marion, and Lamar; No. 9, Houston, Cherokee, Anderson, Smith; No. 10, Victoria, Jackson, La Vaca, Dewitt, Gonzales, Calhoun; No. 11, Presidio, El Paso, and Worth; No. 12, Cameron, Hidalgo, Starr, Zapata, Webb, Kenney; No. 13, Madison, Robertson, Falls, Limestone, Hill, Freestone, Leon, and Navarro; No. 14, San Patricio, Live Oak, Karnes, Goliad, Refugio, Nueces; No. 15, Chambers, Liberty, Polk, Trinity, Tyler, Hardin, Jefferson, Orange; No. 16, Ellis, Johnson, Parker, Dallas, Tarrant, Kaufman, and Van Zandt; No. 17, Burnet, Llano, Mason, Menard, McCulloch, San Saba, Browne, Lampasas, and Williamson; No. 18, Atascosa, Bandera Uvalde, Medina, Wilson, Maverick, and Kinney; No. 19, Bell, Coryell, Hamilton, Comanche, Palo Pinto, Erath, Bosque and McLennan; No. 20, Collins, Denton, Hunt, Wise, Jack, Fannin, Young, Throckmorton, Archer, Clay, Montague, Cooke, Grayson.

[2] Consult his address to the people of the state no. 11, 70–103 in *Tex. Ord. Doc.*, no. 2.

[3] Throckmorton submitted a list of persons who, he considered, were eligible to the appointments of assessors and collectors. The applications were returned endorsed with the remark that the governor had recommended so many as qualified to take the oath and act as registrars, that Gen. Griffin decided not to appoint any to vacancies who could not take the oath of 1862. The oath reads thus: "I, A. B., do solemnly swear (or affirm), that I have never voluntarily borne arms against the U. S. since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the

officials, and the dismissal of prosecutions against certain persons by order of the military chief, became matters of misunderstanding, and the governor on more than one occasion deemed it necessary to communicate with the president in reference to the matters in dispute.[30] The breach widened day by day, and on July 30th, General Sheridan issued a special order of which the following is an extract: "A careful consideration of the reports of Major-General Charles Griffin, United States Army, shows that J. W. Throckmorton, governor of Texas, is an impediment to the reconstruction of that state, under the law; he is, therefore, removed from that office. E. M. Pease is hereby appointed governor of Texas, in place of J. W. Throckmorton, removed. He will be obeyed and respected accordingly."

Early in August the deposed governor sent in his final report of his administration. It contains the treasurer's report, showing the receipts to have been $626,518, and the expenses $625,192; a statement of Indian depredations from 1865 to 1867,[31] and his address to the people containing copies of official correspondence explanatory of his conduct. In reviewing this correspondence Throckmorton remarks that every fair minded person will be satisfied that the reports of General Griffin were made without any foundation in fact, and were not supported by any public or private act of his; and that the imputation that Throckmorton was an impediment to the recon-

U. S.; that I have not yielded a voluntary support to any pretended government, authority, power, or condition within the U. S., hostile and inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the constitution of the U. S. against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.' Copied from *Cong. Globe*, 1861–62, ap. 385.

[30] Circular order, no. 13, and the reinstallation of judges Stribbling and Bacon was among the matters reported to the president. No. 11, 81–2, 84–7, in *Tex. Col. Doc.*, no. 2.

[31] From which it appears that during two years 162 persons were killed; 43 carried into captivity; and 24 wounded. *Id.*, 39, 41, 95.

struction of the state, showed the sinister influences which surrounded Griffin and his proclivity to error. In examining the facts Throckmorton proceeds to call attention to the fact that he tendered the cordial cooperation of the state authorities to aid in the execution of the laws of congress; that he called upon the civil authorities for such information as would conduce to that end; and that he advised the people to a cheerful and prompt compliance with the terms. But extraordinary impediments to the proper, execution of the acts of congress, had been thrown in the way. First the circular order, no. 13, relative to jurymen's qualifications, filled the country with consternation, and impressed the minds of the people that they were not to have the benefit of the laws;[1] second, by refusing to fill vacancies in state offices except by such persons as could take the test oath; third, by delay in appointing boards of registration in many counties. Again, no persons except those of one political party were selected as registrars, while negroes notoriously incompetent were appointed to act on such boards; such persons as sextons of cemeteries, auctioneers, members of police, under-wardens of workhouses, school-directors, jurymen, overseers of the roads, and many other classes had been excluded from registration;[2] and finally a manifest disinclination had been shown on the part of the military authorities to believe in the sincerity of the state officials, and the people when declaring their desire to comply with the acts of congress. Such were some of the impediments.

But apart from impediments, many acts, he said, had been committed which were violations of the law. The property of citizens had been used without compensation, not in a few, but in many cases; the freedman's bureau had exercised powers not conferred upon

[1] The oath prescribed would in fact exclude the majority of the people, except the freedmen, from serving as jurors.

[2] See copy of instructions secretly given by Griffin to the boards of registration. *Id.*, 88–90.

it, its agents having made arrests and imposed penalties not justified by law; the town of Brenham had been set on fire by United States' soldiers, and a large amount of property destroyed; this deed was perpetrated almost in his presence, yet no effort was made to prevent it, or to punish the offenders; judgments and decrees of the courts had been ordered to be set aside, and judges required to dismiss suits in a number of cases. Freedmen indicted for crimes had been protected from arrest, and laws of the state had been set aside; the frontier was a scene of Indian devastation, and yet the troops were scattered in the interior where the civil authorities were able to maintain order, and no sufficient number of them had been sent to the frontier. Such were the views expressed by Throckmorton as to the position of Texas under military government.

In the early days of August, Elisha M. Pease for the third time became governor;[34] but affairs were sadly changed since the prosperous and happy period of his first administration. The partisan feeling in Texas, not without cause, continued bitter, and in no other of the confederated states did the work of reconstruction prove more difficult, evidence of which is the fact that she was the last of the ten to be readmitted into the union. On August 26, 1867, Sheridan, whose administration of the fifth military district gave great dissatisfaction to President Johnson,[35] was removed, and the command assigned to General Hancock. The latter's views differed considerably from those of Sheridan, and he was even unwilling to submit civil offenders to trial by the military tribunals. With regard to the unreasonably rigid rules issued to the boards of registration by Griffin, by which numbers of men entitled to become voters were excluded,[36]

[34] For his biography see note 27 of chap. xv.

[35] See the president's letter of Aug. 19, 1867, to Gen. Grant. *H. Ex. Doc.*, cong. 40, sess. 2, vii., no. 57, 4–6.

[36] For the satisfaction of the reader, I give a synopsis of these secret in-

Hancock, on January 11, 1868, declared them to be null and of no effect, and ordered the boards of registration "to look to the laws, and to the laws alone, for the rules which were to govern them in the discharge of the delicate and important duties imposed upon them."

But Hancock gave as little satisfaction to congress as his predecessor had given to the president; and the want of harmony between the executive and legislative powers at Washington was the cause of frequent changes of military commanders in the south. Not long after the order setting aside General Griffin's instructions to the registrars, General Hancock was removed from the command of the fifth district, and was succeeded by General Reynolds.

The business of registration having at last been completed, the election for the convention was held in February. Each voter was required to register, and present his certificate of registration at the polls. The election occupied four days, and resulted in 44,689 votes being cast in favor of the convention being held, and 11,440 against it.[37]

On June 1, 1868, the convention, consisting of 63

structions, described as 'Memoranda of disqualifications for the guidance of the boards of registration under the military bill passed March 2, 1867. 1, every person who has acted as senator or representative in congress; 2, all who have acted as electors of president and vice-president; 3, every person who held any position in the army or navy of the U. S.; 4, all persons who held any position under the U. S. in which they were required to take an oath before they entered upon the duties of the office; such as officers in the custom-house, clerks, judges, and others; 5, all who have held any office in any state under the constitution and laws of such state in force prior to Feb. 1, 1861.' Then follows a long list of disqualified persons, among whom are included 'tax collectors, coroners, police jurors, auctioneers, county recorders, notaries public, municipal officers, including members of the board of health, wardens and underwardens of prisons and work-houses, school directors, city surveyors and deputies, inspectors of tobacco, flour, beef, etc., weighers and measurers, directors of the asylum for deaf and dumb, blind, and lunatic, and sextons of cemeteries.' '6, all who, in 1862 and 1864, registered themselves as aliens, or obtained protection papers from the representatives of foreign powers. Any person who at any time held any of the above offices, and who afterward engaged in the rebellion against the U. S.' No. 11, 89-9, in *Tex. Col. Doc.*, no. 2.

[37] According to *Thrall*, 420, 56,678 white voters registered, and 47,581 black ones. From these figures it appears that little over half the number of voters appeared at the polls.

delegates, met at Austin, and organized by electing Edmund J. Davis president and W. V. Tunstall, secretary. Though composed of loyal republicans, it soon became manifest that it was divided into two parties, entertaining widely different views, and such as were not to be readily reconciled. Shortly before Governor Pease entered office, General Griffin had been petitioned by a number of persons to declare by military order all acts of legislation since February 1, 1861—the date of the secession ordinance—to be null, *ab initio*. This expression supplied a name for one of the political parties in the convention. Griffin died of yellow fever a few weeks after receiving the petition, which thereby was not acted upon, and Pease, in a proclamation, recognized the constitution and laws of 1866, under certain exceptions, as rules for the government of the people of Texas and the officers of the civil government. Those members of the convention who believed that all enactments since the passage of the secession ordinance should be null were called Ab Initios. Another point of disagreement was the question of suffrage, a portion of the convention displaying much intolerance towards those who had sustained the confederate cause, while the more liberal were in favor of enfranchising all good citizens of the state.

For three months the opposing factions argued and wrangled on their respective views, and but little progress was made toward the framing of the constitution. On August 31st, the convention adjourned to reassemble on December 7th. When it again met, the differences appeared to be more irreconcilable than ever, and much bitterness of feeling was shown. Finally, the more liberal party prevailed, the late governor, Hamilton, having submitted a generous substitute on the right of suffrage for the report of the committee, which was marked by rigorous disfranchisement.[38] The substitute having been put to

[38] Hamilton's substitute constituted art. vi. of the constitution, and reads

the vote, it was carried, February 3, 1869, by 37 yeas against 26 nays.

The constitution was now all but completed; but on the 4th, the ab initio members entered a protest against it, signed by 22 members, among whom was the president, Davis. The objection raised against it was that it was based upon the assumption that the constitution of the United States and the accepted constitution of Texas of 1845 had not been continuously the supreme law of the land. With regard to the article on the right of suffrage, the disapproving members solemnly protested against it as extending the franchise to all those who voluntarily became the public enemy of the United States. "The majority of the convention," they said, "has deliberately removed from the constitution every safeguard for the protection of the loyal voter, white or black. They have stricken from that instrument the whole system of registry; they have repudiated the oath of loyalty contained in the reconstruction laws; they have spurned the test of equal civil and political rights, and we do most solemnly call upon the registered voters of Texas to vindicate the national honor, and the cause of right and justice by their votes."

This session of the convention did not terminate in a very dignified manner. Without waiting for a formal and orderly adjournment, many members forthwith returned to their homes, and at the meeting on

thus: 'Every male citizen of the U. S., of the age of 21 years and upward, not laboring under the disabilities named in this constitution, without distinction of race, color, or former condition, who shall be a resident of this state at the time of the adoption of this constitution, or who shall thereafter reside in this state one year, and in the county in which he offers to vote 60 days next preceding any election, shall be entitled to vote for all officers that are now, or hereafter may be, elected by the people; and upon all questions submitted to the electors at any election; provided, that no person shall be allowed to vote or hold office who is now, or hereafter may be, disqualified therefor by the constitution of the U. S., until such disqualification shall be removed by the congress of the U. S.; provided further, that no person, while kept in any asylum or confined in prison, or who has been convicted of a felony, or is of unsound mind, shall be allowed to vote or hold office. *U. S. Sen. Misc.*, cong. 41, sess. 2., doc. 77, 20; *U. S. Charters and Constit.*, ii., 1814, in both of which authorities a copy of the amended constitution will be found.

the 6th, no quorum was present. On February 11th General Canby, who had succeeded Reynolds in the preceding December, addressed a letter to the chief of the staff at Washington, in which he says that a committee had been appointed by the members that were left to consult him. On finding that a large portion of the records of the convention was in an unfinished condition, the journal not being made up, and other work of the secretary and clerks incomplete, he advised that the members present should finish the ministerial work, and then adjourn in a formal and orderly manner. He describes the feelings of the two parties as growing more intense, each distrusting the other, and apprehending that the records would be lost or destroyed. He urged upon the president, Davis, the importance of his party uniting with the other; at least let them adjourn in a decorous manner, if they could do nothing else. Davis, accordingly called a meeting, at which less than half a dozen members were present, and Canby finally agreed to take charge of the records. He experienced, however, no little difficulty in collecting them, as the secretaries and clerks of the convention had become imbued with the spirit of the members, and had taken away a part of the records in their keeping. Having finally succeeded, he set a large clerical force to work to complete them from the rough copies and minutes.[39] From the above account the reader will be able to form a tolerably correct idea of the disorder which prevailed in the reconstruction convention, and the ill-feeling which was manifested between the conflicting parties.

By the election declaration of the convention, the first Monday in July 1869 was appointed as the day on which the amended constitution should be submitted to the voters for ratification, and a general election held for state officers and members of the

[39] Consult Gen. Canby's correspondence in *U. S. H. Ex. Doc.*, cong. 40, sess. 3, xiii., no. 97.

legislature. But President Grant did not see fit to approve so early a date, and deferred it till November 30th following. Accordingly on that, and the three following days, the election was held under the direction of Reynolds, who had been reappointed to the command in Texas, 72,366 votes being cast for the constitution, and 4,928 against it, showing a majority of 67,438 in favor of it. At the same time Edmund J. Davis was elected governor; J. W. Flanagan, lieutenant governor; A. Bledsoe, comptroller; G. W. Honey, treasurer; and Jacob Kuechler, land office commissioner; and G. W. Whitmore, J. C. Conner, W. T. Clark, and Edward Degener were chosen representatives to the United States congress. Members of the legislature were also appointed, and on January 11, 1870, an order was issued by the military commander, summoning the legislature to assemble at Austin on February 8th following.[40]

Governor Pease by no means enjoyed the position in which he found himself. The mixture of civil and military rule was most distastful to him, especially as he did not meet with that coöperation and assistance on the part of the commander of the fifth district,[41] which he was entitled to expect. On September 30th he resigned, and during the interval between his resignation and the accession of Governor Davis, a period of more than three months, the executive department of Texas was administered by an adjutant in charge of civil affairs.

Governor Davis entered office January 18, 1870, and on the appointed day the legislature assembled at the capital. It promptly ratified by joint resolutions the amendments to the constitution of the United States,[42] appointed senators to congress, and having

[40] *Sen. Misc. Doc.*, cong. 41, sess. 2, no. 77, 30–6; *Dept. Sec. Wars.*, cong. 41, sess. 3, v., pt. ii., 41.

[41] Confined at this time to Texas, as Louisiana had already been reorganized, and her representatives admitted to congress.

[42] Namely Articles xiii, xiv, and xv, the first abolishing slavery; the

transacted the business imposed upon it by the reconstruction laws as a provisional body, it adjourned on February 24th.

Texas had now drained the bitter cup to the dregs, and forgiveness was at last vouchsafed to her. On March 30, 1870, the U. S. president approved the congressional act readmitting her into the union, and on the following day, senators M. C. Hamilton and J. W. Flanagan,[43] the oath prescribed by law having been administered to them by the vice-president, took their seats in congress. On the same day the four representatives to which the state was entitled were sworn in, the members being those elected at the general election held November 30th to December 3, 1869.[44]

The reconstruction period extended over five years, during which time Texas was a prey to lawlessness and violence almost in a degree inconceivable. The breath of the demon of homicide seemed to have passed over the land, and the efforts of the military commanders to arrest its deadly influence were attended with little success. It is impossible to ascertain how many persons were the victims of fierce passion and malevolence during these five years, nor is it a pleasant subject to dwell upon. But that the reader may arrive at some idea of the excessive crime and the loss of life, let him listen to what General Reynolds says on the subject in a letter to the war-office, dated October 21, 1869. "The number of murders in the state during the nine months from January 1, 1869, to September 30, 1869, according to the official records, necessarily imperfect, is 384, being an average of about one and a half per day.

second declaring all persons born or naturalized in the U. S. to be citizens thereof; and the third declaring that the right of citizens to vote should not be denied or abridged on account of race, color, or previous condition of slavery. A military board was appointed to inquire into the eligibility of the members of the legislature with the power to administer oaths.

[43] J. W. Flanagan had been elected lieut-gov., but the legisl ture appointed him to the U. S. Senate.

[44] *H. Jour.*, cong. 41, sess. 2, 548, 1387; *Mess. and Doc.*, 1870–1, War Dept., pt. i., 41; *S. Jour.*, cong. 41, sess. 2, 434, 1517; *H. Jour.*, cong. 41, sess. 3, 6; *S. Misc.*, cong. 41, sess. 2, doc. 77, p. 35; *Cong. Globe*, cong. 41, sess. 2, pt. 3, 2328.

From this statement it appears that with the partial breaking up of bands of desperadoes by military aid the number of murders is diminishing from month to month."[45]

[45] *Rept of sec. of war*, cong. 41, sess. 2, i. 145. Gov. Pease in his message to the convention, June 1, 1869, says that during the six preceding months 206 homicides had been committed in 67 of the 127 organized counties of the state, while but a small number of the perpetrators had been arrested and punished by the process of law. *Thrall*, 428.

CHAPTER XIX.

TEXAS RESTORED.

1871–1888.

ADMINISTRATION OF GOVERNOR DAVIS—MESSAGE TO THE LEGISLATURE—REPUBLICAN MEASURES—PARTY RIVALRY—AUSTIN THE PERMANENT CAPITAL—REPEAL OF OBNOXIOUS LAWS—CONDITION OF THE TREASURY—REPUBLICANS VERSUS DEMOCRATS—A DANGEROUS CRISIS—VICTORY OF THE DEMOCRATS—COKE ELECTED GOVERNOR—CONDITION OF AFFAIRS—THE NEW CONSTITUTION—COKE'S CRITICISMS—GOVERNOR HUBBARD—THE SALT WAR—FINANCE—GOVERNOR ROBERTS' POLICY—INDIAN AFFAIRS—THE BOUNDARY QUESTION.

IT was the irony of liberty, equality, and the republican form of government—the thrusting at this juncture into legislative halls and offices of honor and trust, the thick-lipped, curly-haired, stolid-brained black man, sometime from the jungles of Africa, late the slave, now the ruler of the pale-faced intellectual European! What a sensible, statesmanlike, wise, and politic thing was it for our Yankee demagogues, carpet-baggers, political hacks, hucksters, and tricksters, after the extinguishment of the savagism slavery, to take this black African beast and set him up as a god to rule over us, to make laws for us, to set an example for us in the ways of intellectual culture and refinement! It is the greatest and most lasting disgrace the people of the United States ever have or ever can bring upon themselves. No wonder it was a galling sore to the south, ever open, ever fresh. It was wholly unworthy of the American people, an insult to their own intelligence, to their own institutions, a prostitution of what they should hold most

high and holy—the privilege of suffrage, of self-government from an intelligent and progressive stand-point. There is one consolation in it all, however, and that is that this black republicanism, which foisted upon the nation this monstrous iniquity, gained nothing by it—nothing but ignominy and retribution. It was a cowardly thing to do, a base ignoble revenge; an act retroactive in its effect, bringing also its curse upon its perpetrators.

Though Governor Davis assumed the executive office in January, he was only acting in a provisional capacity. When, however, the president signed the bill restoring Texas to her rights as a sovereign state of the union, Davis issued a proclamation, April 2d, announcing the fact, and signing himself governor of Texas. On the 16th of the same month, General Reynolds remitted to the civil authorities the powers that had been conferred upon the military commander by the reconstruction laws, and the troops were withdrawn from the various posts in the interior and sent to the frontier. Small detachments, however, were retained at Jefferson, Austin, and San Antonio, the latter point being the principal distributing depot and the future headquarters of the department. The legislature assembled again on the 26th, and on the 28th the governor was duly inaugurated.

In his inaugural address Governor Davis remarked that what might be termed the second annexation of Texas had been consummated; but the Texas of 1845 was very different from that of 1870. The former brought into the union with her single star also thousands of slaves; the latter knew no bondman on her soil. Alluding to the late war he considered that few on either side at the beginning of the struggle had either calculated or desired the full result attained at its close. While the one side sought to sustain a structure of which the very corner-stone was a denial of the truth of the declaration, "that all men are created equal," the other grasped the sword mainly

to preserve a glorious nationality. It required years of misfortune to point out the foundation of the trouble. "Let us," he said, "accept the result as an indication and lesson that there is no safe neutral ground for human judgment between right and wrong. Let us be wholly right." [1]

On April 29th, the governor sent in his message. He first called attention to the necessity of providing measures for the suppression of crime, and recommended the passage of a law for the efficient organization of the militia, and the establishment of a police system which would embrace the whole state under one head, so that the police, sheriffs, and constables of the different cities should be made a part of the general police, act in concert with it, and be subject to the orders of the chief. He next made mention of a class of criminals which consisted of mobs of lawless men, who assembled and operated in disguise in carrying out some unlawful purpose, generally directed against the freedmen. The immunity from arrest of such offenders gave reason to suppose that they were protected or encouraged by the majority of the people. In suggesting measures to suppress this evil, Governor Davis advocated conferring upon the executive the power of temporarily establishing martial law under certain contingencies. He, moreover, considered that the frequency of homicides was attributable to the habit of carrying arms, and recommended the legislature to restrict that privilege, which it would be able to do under the amended constitution.[2]

On the subject of education, the governor remarked that the establishment of a good system of schools would in time operate in diminishing crime, and reminded the legislature that the provisions of the constitution made it "the imperative duty" of that body to provide for the education of all children of scholas-

[1] No. 4 in *Tex. Col. Doc.*, no. 2, is a copy of the inaugural address.

[2] Section xiii. of the bill of rights reads thus: 'Every person shall have the right to keep and bear arms in the lawful defence of himself or the state, under such regulations as the legislature may prescribe.'

tic age. A perpetual school fund was provided for by the constitution, and he produced a summary of the means then disposable for the purposes of education.[3]

Other matters brought before the notice of the legislature were the questions of internal improvement, subsidizing private enterprises, the public works, and immigration. With respect to the first, Davis cautioned the legislature against affording aid to speculators who, proposing schemes for private advantage under the name of internal improvements, were in the habit of calling upon the state for aid; he was of opinion that, beyond a liberal charter, there was no necessity for state aid to insure the success of any honest and feasible enterprise. With regard to immigration, he hoped that when such respect for law and order had been established as would relieve new-comers of all apprehensions for their personal safety, the cheap and fertile lands of Texas would attract immigrants. It was necessary that the immigration bureau authorized by the constitution should be organized at once on a liberal basis, and a complete geological survey undertaken in order to ascertain the capacity of the state, both in an agricultural and mineral point of view.

He next calls attention to the condition of the asylums for the deaf and dumb, the blind, and insane, and the penitentiary at Huntsville. The lunatic asylum was far too small to admit even all such patients as came within the limited requirements of the law, and many had to be denied admittance; a liberal provision should be made for the increased wants of the state in this respect. As to the penitentiary, owing to bad management it had been, until quite lately, a heavy expense, the excess of expenditures over receipts up to November 16, 1869, being $107,645. The number of convicts, according to the last report of Febru-

[3] Namely, cash in specie $58,979, currency $543; in 5 per cent bonds under act of Nov. 12, 1856, $82,168; principal and interest due to the school fund from railroad companies $2,742,198. Governor's message, no. 5, 5-7, in *Id.*

ary 10, 1870, was 489 confined within the walls, and in April following 181 were laboring on the railroad. The governor deprecated the system of employing the convicts on the railroads, both as demoralizing and affording facilities of escape. He recommends that the penitentiary be enlarged, and the outside convicts returned to it.

In speaking of the depredations committed by Indians, he remarked that from time immemorial the hostile tribes had afflicted the country with their murderous visits; that no treaty or concession could appease them, or stay their hands; and that the only result that could be permanently effectual was extermination, or total conquest and submission. The measures adopted by the military commander were all that could be done with his limited resources.[4]

The legislature would, it was hoped, encourage in every reasonable way the growth of every kind of manufacture and industry. One of the most important interests of Texas was cattle-breeding, but unfortunately the laws for the protection of the stock-raiser's property were defective, especially in regard to herding, branding, and selling cattle. Practices had become common in these respects which almost destroyed the safety of that kind of property.

Financial matters were the last topic discussed in the message. The governor was of opinion that expenditures would amount to about $1,500,000. The amount of cash on hand September 3, 1867, was $20,232; receipts from that date to April 16, 1870, were $1,384,191, and the expenditures during the same period $1,024,851. The amount of cash in the treasury, exclusive of school and special funds, was $2,953 in specie and $413,747 in currency. Deducting appropriations made by military orders since March 1st, there remained $2,953 in specie and

[4] Reynolds urged the establishment of a military telegraph line along the frontier, and recommended that the department commander should be authorized to equip and employ frontiersmen in co-operation with the U. S. troops. *Rept. Sec. War*, cong. 41, sess. 3, i. 41.

$368,426 in currency. The debt of the state was small. Under act of November 12, 1866, five per centum state bonds, to the amount of $82,168, were issued to the school fund, and $134,472 of similar bonds to the university fund. If the act was to be respected, the state was so much indebted to the above-named funds. The only other indebtedness was that of ten per cent warrants issued before the late war, but the amount could not be considerable. The governor remarked that the whole system of collection of revenue would have to be revised and made more effective.

This message represented very fairly the condition and requirements of Texas, on her people resuming self-government. The legislature,[5] with a large majority of them republicans, accepted the governor's views in all important points. The militia was organized,[6] and divided into two classes, namely the state guard, composed of volunteers and the reserve military, which included all persons liable to service, not enrolled in the state guard. All the troops were placed under the control of the governor, who was also empowered to declare martial law in any county or counties, and call out, in cases of emergency, such portion of the militia as he might deem necessary for the maintenance of the law. Other bills authorized him to organize twenty companies for the protection of the frontier, and establish a state police, under the system suggested by him in his message. An election law was passed requiring voters to register, and laying down stringent rules for conducting elections; the judicial districts were re-organized and their number was raised to thirty-five, and a bill was passed establishing a system of public free schools

[5] According to Thrall, page 429, the legislature politically considered stood thus: in the senate 17 republicans, two of them Africans, 7 conservatives, and 6 democrats: in the house, 50 republicans, 8 being Africans, 19 conservatives, and 21 democrats.

[6] The act of congress prohibiting the organization of the militia, was repealed July 15, 1870, *Cong. Globe*, 1869–70. Ap. 738.

throughout the state. The session was a long one, and numerous enactments were passed; nor was it till August 15th that the legislature adjourned.

Though the great civil war had ended years ago, contention had not ceased. In the political arena republicans and democrats—respectively representing the old unionists and secessionists—carried on the strife, and displayed toward each other feelings as bitter and hostile as had ever been entertained by federals and confederates in their conflicts on the battlefield. Governor Davis had been a general in the federal army, while the larger portion of the people of Texas had been confederates. His election to office, as well as that of the members of the legislature, had not been an expression of the will of the majority, but was due to the pressure of the reconstruction laws. Party spirit, therefore, was violent, and the action of the republican party in power was watched with critical scrutiny, by the democrats whose rivalry was intensified by the humiliation of defeat. The provisions of the militia and police bills, and especially that authorizing the governor to proclaim martial law, gave dissatisfaction to both conservatives and democrats. A large portion of the police force was drawn from the black race; and the reader will doubtless correctly estimate the passionate indignation of the white man, on being interfered with in his conduct by a low, impudent negro.[7]

[7] Collisions consequently occurred. In Jan. 1871, there was a serious affair in Huntsville. A negro, an important witness in a criminal case, was killed, and persons implicated in the murder were arrested. Friends aided them to escape, and the captain of police who held them in charge, was wounded in the scrimmage. Martial law was proclaimed by the gov., Jan. 20, and a military company sent from an adjoining county to enforce the law. The supremacy of the civil law, however, was soon restored. Another difficulty occurred at Groesbeck, in September, one Applewhite being killed in the streets by three colored policemen. A serious disturbance took place, the whites and negroes being arrayed against each other. On Oct. 10, Gov. Davis proclaimed martial law in Limestone and Freestone counties. The order was revoked Nov. 11th, but the people were assessed for a considerable sum to defray expenses. In Hill county also martial law was enforced for a short time. *Thrall*, 431.

The growing strength of the democratic party, however,—or rather its natural strength when released from coercion—showed itself in time. In November, 1872, from the 5th to the 8th inclusive,[8] a general election was held for electors of president and vice-president of the United States, for members to congress, to fill vacancies in the state senate, for representatives to the 13th legislature, for district attorneys, and for county officers. The late constitution having provided that the governor should hold office for the term of four years, the election for the executive did not take place till December 1873. The result of the election of 1872 was that the democrats returned to congress the six representatives to which Texas was now entitled, and a majority in the state legislature.

At the same election, according to a provision of the constitution, the vote of the people was taken for the permanent location of the seat of government, the city of Austin being chosen by a large majority as the capital.[9]

Moreover, an amendment to the 6th section, Article X., of the constitution[10] was proposed, and accepted by a vote of 57,611 for, and 35,076 against it.

The thirteenth legislature met January 14, 1873, and the democrats at once exercised their controlling majority, by causing obnoxious laws to be repealed. The militia bill passed by the last legislature, was so changed as to deprive the governor of his power to declare martial war; the objectionable state police force was disbanded, and material changes were effected in the election laws. Measures also were adopted to reduce the expenses of government.

[8] According to the provision of the constitution, the polls at elections were to be opened for four days.

[9] Votes cast for Austin, 64,277; for Houston, 35, 147; for Waco, 12,777; *Tex. Off. Returns, Gen. Elec.* 1872, 18.

[10] Reading thus: 'The legislature shall not hereafter grant lands to any person or persons, nor shall any certificate for land be sold at the land office, except to actual settlers upon the same, and in lots not exceeding 160 acres.'

Governor Davis in his annual message called attention to the unsatisfactory condition in which he found the state treasury. It appears that the treasurer had vacated his office under circumstances that led to the suspicion that transactions of a doubtful nature had taken place in the department during his management. Public comments reaching the governor's ears compelled him to investigate the matter, and he came to the conclusion that profits had been made by the late treasurer to the amount of $30,000; accordingly he directed the attorney-general to sue him and his securities for that amount.[11] On his suggestion, too, a select joint committee was appointed by the two branches of the legislature to examine into the condition of the offices of the comptroller and the treasurer and report upon it. From the report of this committee, sent in June 2, 1873, it appears that there had been much irregularity; that the books in the comptroller's office were kept in an inaccurate and confused manner, and with such a reckless disregard of system as to render any attempt to obtain from them a correct statement of the state's finances extremely difficult; and that a deficit in the treasury actually existed.

The legislature having thus effected many desirable reforms the democrats next determined to reform the government. The governor was a stanch republican, and there was a republican majority in the senate; but the democrats readily perceived that the thumbscrew of obstruction would compel their opponents to yield to a measure which would overthrow them, and the house refused to vote money to carry on the government until it had succeed in the scheme planned by it. It was a well-conceived political stratagem. Confident that at the polls the democratic majority would be overwhelming, the house decided to procure a new election, though it would thus be legislating itself out. An act was accordingly passed April 24,

[11] Davis' testimony in *Tex. Rept Com. Invest. Compt.*, June 2, 1873, 17.

1873, making a new apportionment of the state and changing the senatorial districts, which change necessitated a new general election. On May 26th, following, another act was forced through the legislature, prescribing that the election should be held on the first Tuesday in December,[12] the day on which the election for the new governor would take place.

On the appointed day the election was held, and in all three branches the democrats were triumphant. But the republicans were not disposed to yield without a struggle. The constitutionality of the law under which the election had been held was brought before the supreme court which decided that it was unconstitutional, and Davis, on January 12th, issued a proclamation prohibiting the new legislature from assembling. In defiance of this interdict, however, it met on the following day and organized. Much alarm was entertained that a collision would take place between the two parties. And not without some cause. The two branches of the legislature occupied the upper story of the capitol with a company of the militia as guard; at the same time Davis and the other executive officers held possession of the lower story with a company of colored soldiers under the adjutant-general.[13] President Grant was appealed to but refused to sustain Davis. Fortunately moderation prevailed and no conflict took place. J. P. Newcomb, the secretary of state, permitted, under protest, the election returns to be delivered to a committee of the legislature. The votes having been counted, Richard Coke[14] was declared elected gov-

[12] See *Tex. Gen. Laws*, 13 leg., 43, et seq.

[13] Gov. Coke in his annual message of Jan. 1876, page 4, makes this assertion: 'The floors of the halls in which you now sit had been examined by the conspirators, and it had been ascertained that the armed forces entrenched in the basement beneath, could pierce them with their missiles if necessary to attack you.'

[14] Coke was born at Williamsburg, Va., March 13, 1829; was educated at William and Mary college, and having studied law was admitted to the bar when 21 years of age. In 1850 he removed to Waco, McLennan county, Texas. He served in the confederate army, first as private and afterward as captain; was district judge in June 1865, and in 1866 was elected by the

ernor by a majority of 50,000, and Richard B. Hubbard, lieutenant-governor. For some days the public was agitated by doubt and apprehension as to the probability of a peaceful solution of the dispute, but on the 19th Governor Davis vacated the executive office without making a formal surrender.[15] Governor Coke took undisputed possession, and the excitement was allayed. Thus terminated this contest for supremacy between the republican and democratic parties, happily without bloodshed. But it was a critical point in the progress of affairs. The least spark of fire would have exploded the magazine of animosity harbored on both sides. Thus the city which had so lately been declared the permanent capital of the state narrowly escaped being baptized in blood.

During the first session of the 14th legislature, no extraordinary measures worthy of especial mention were adopted,[16] with the exception of granting pen-

democratic party judge of the state supreme court, but was removed in 1867 by Sheridan as an 'impediment to reconstruction.' *U. S. Sen. Miscel.*, cong. 42, sess. 2, no. 8, pt i., 71.

[15] Davis in a speech made to the citizens of Travis county, Oct. 4, 1880, alludes to this affair, and speaks of the democrats as having 'seized the state government, in January, 1874.' *Davis, Speech*, 3, with *Gray, Hist. Austin.* Gov. Coke's view of the situation was different. In his message mentioned in note he says: 'Forebodings of danger to popular liberty and representative government caused the stoutest and most patriotic among us to tremble for the result. A conspiracy, bolder and more wicked than that of Cataline against the liberties of Rome, had planned the overthrow of free government in Texas. The capitol and its purlieus were held by armed men under command of the conspirators; and the treasury and department offices, with all the archives of the govt, were in their possession. Your right to assemble in the capitol, as the chosen representatives of the people was denied, and the will of the people of Texas scoffed at and defied. . . . The president of the United States was being implored to send troops to aid in overthrowing the government of Texas, chosen by her people by a majority of 50,000. The local and municipal officers throughout the state in sympathy with the infamous designs of those desperate and unscrupulous revolutionists, taking courage from the boldness of the leaders at the capitol, were refusing to deliver over to their lawfully elected successors, the offices in their possession. A universal conflict of jurisdiction and authority, extending through all the departments of government, embracing in its sweep all the territory and inhabitants of the state, and every question upon which legitimate government is called to act, was imminent and impending.'

[16] It should be mentioned that an act was passed April 10, 1874, authorizing the gov. to organize a battalion of six companies, each 75 strong, for defence of the frontier against Indians. The companies were organized June 4th following, and placed under the command of Maj. John B. Jones.

sions to revolutionary veterans, and the reorganization of the supreme court, the number of judges being increased to five by an amendment to the constitution, which had provided that the court should consist of only three members. But there was manifested a growing discontent in regard to the constitution, which had been, as it were, thrust upon the people of Texas, and when the legislature met, in January 1875, on the occasion of its second session, Governor Coke recommended it to make provision by appropriate enactment for assembling a convention to frame a constitution of government for Texas. The existing constitution, he said, was by general consent admitted to be a defective instrument; many of its provisions were incongruous and repugnant; its restrictions were so many, and descended so much into legislative detail, as to present incessant embarrassments; and while some provisions were oppressive or inconvenient, others were positively obstructive to legislation. Necessity, he added, forced it on the people of Texas, and prudence and policy prompted submission to it. But no reason existed for submitting to it any longer. The causes which a year before had rendered it imprudent to call together a constitutional convention had ceased to exist; federal interference was no longer feared, and the popular mind was free from passion and excitement. "For twelve months past," he said, "the thinking men of the state have been studying and investigating the subjects to be dealt with in framing a constitution, and are now prepared to act."[17]

The governor's message is a lengthy document comprising 92 octavo pages, and he enters fully into every subject to which he calls the attention of the legislature. All internal matters are considered, and some space is devoted to statements touching the condition of the frontier in connection with inroads made by Indians, and Mexican border troubles. He remarked that, in nine cases out of ten, the Indians

[17] *Tex. Mess. Gov.*, 14th legis., 2d sess., 1875, 3–9.

that devastated the frontier of Texas came from the reservations on the northern borders. Governor Coke was in favor of applying severe measures, and holding the Indians to a rigorous accountability. "Lenity," he said, "to their murderous and thieving propensities is atrocious cruelty to the whites." With regard to depredations committed by Mexican marauders, he informed the legislature that during the spring and early summer of the past year they had greatly exceeded in magnitude and atrocity transactions of that character for a number of years past. The complaint of the people of the districts exposed to these predatory inroads was universal. The expense to which the state was put, owing to the inadequacy of the United States' military establishment, was very onerous, and the governor recommended the legislature to memorialize congress, setting forth the losses of life and property on the Mexican border, and asking that the obligation of the general government to protect Texas against foreign enemies be redeemed, and that the money expended by the state in defence of her people be refunded.[18]

According to the report of Governor Coke of January 1874, and that of the comptroller of February 10th, following, the public debt was $1,668,131. In the present message, the governor states that the entire public debt of Texas, up to January 1, 1875, according to the comptroller's report, was $4,012,421, of which $976,988 represented the floating debt, leaving a bonded debt of $3,035,433. He then explains how so large an increase in figures appears in the report. He says; "The increase in the public debt since the report in January 1874, is represented by the bonds and certificates granted to the revolutionary veterans of Texas, by act of April 1874, amounting to $899,389, and a few thousand dollars of miscellaneous in-

[18] Memorials to this effect were laid before congress by the 14th legislature, and also by the constitutional convention held in the autumn of 1875. *Tex. Mess. Gov.*, legis. 15, sess. 1, ap. 1876, 58–9.

debtedness. The remainder was incurred before January 1874, and is due to school teachers and others for services in 1873, and in the confusion of the records when the last report was made, was not noted, and in fact much of it was not reported until subsequent to that time."

With regard to the pensions granted to veterans, it is necessary to explain that by an act of August 13, 1870, it was briefly provided that the surviving veterans "of the revolution which separated Texas from Mexico, including the Mier prisoners," and no others should have certain pensions. Comptroller Bledsoe, however, misapprehended the law, and extended its provisions to persons not properly entitled to the benefit of it. At least such was the reason given by Governor Davis, May 19, 1871, on the occasion of his vetoing two items of appropriations to pay claims of veterans; by which act he exposed himself to the attack of his democratic enemies, who charged him with entertaining hostile feelings toward the veterans. By act of April 21, 1874, the legislature, however, extended the list of classes entitled to pensions,[1] and by the end of the year, the governor became reasonably alarmed at the rapidly increasing number of claims;[2] in his message, he urged the immediate repeal of the act, which, if left on the statute book, afforded an opening for the perpetration of frauds on the state. The act was repealed March 13, 1875.

In March, also, provision was made for submitting the all absorbing question of a constitutional convention to the people, and an election was ordered to be

[1] Under the act of 1870, a person entitled to the pension would receive $250 if not wounded, and $500 if wounded, commencing from Jan. 1, 1871. Gov. Davis considered that there were not at that time 100 persons in the state justly entitled to the pension, yet Comptroller Bledsoe, under his construction of the act, soon found 283 claimants. *Speech of Ex-gov. Davis*, Oct. 4, 1880, p. 13, in *Gray's Hist. Austin.*

[2] Davis says that Darden and Coke, in the course of a year or so, issued $1,115,000 worth of bonds in pension. "Some 1,100 persons had turned up as veterans of the struggle between Texas and Mexico."

held for that purpose, and for delegates on August 2d. On the appointed day 69,583 votes were cast for the convention, and 30,549 against it. The delegates[21] having been duly elected, the convention assembled at Austin, September 6, 1875, and completed its labors November 24th, on which day it adjourned. The constitution which it framed was submitted to the people for ratification February 17, 1876, when 136,606 votes were cast in favor of it, and 56,652 against it. A general election was held on the same day, and the regular democratic state ticket elected. Coke was reëlected governor, by a majority of over 102,000 votes, having polled 150,418 against 47,719 cast for William Chambers.[22]

Some very striking changes are noticeable in the constitution of 1876. In the bill of rights, the provisions of the constitution of 1869 that declared secession a heresy, and that the constitution and laws of United States are the supreme law of the land, are stricken out.[23] With respect to the legislative de-

[21] The names of the delegates, with their places of residence and nativity, as also their occupations, will be found in *Walsh and Pilgrim's Direct. Constit. Conven.*, 1–3. The 30 districts sent up eighty-nine delegates, of whom 75 were democrats and 14 republicans, four of whom were negroes. The greater portion of the delegates were natives of the southern states, there being only four native Texans.

[22] *U. S. Sen. Misc.*, cong. 47, sess. 2, i., doc. 8, 71; *Thrall*, 437.

[23] For the purpose of comparison, I copy the preambles and corresponding provisions in the two constitutions.

Constitution of Texas, 1869: We, the people of Texas, acknowledging with gratitude the grace of God in permitting us to make a choice of our form of government, do hereby ordain and establish this constitution. Art. I. Bill of Rights. That the heresies of nullification and secession, which brought the country to grief, may be eliminated from future political discussion; that public order may be restored, private property and human life protected, and the great principles of liberty and equality secured to us, we declare that: Sec. I. The constitution of the United States, and the laws and treaties made and to be made in pursuance thereof, are acknowledged to be the supreme law; that this constitution is framed in harmony with, and in subordination thereto, and that the fundamental principles embodied herein can only be changed subject to the national authority.

Constitution of Texas, 1876: Preamble. Humbly invoking the blessing of Almighty, the people of the state of Texas do ordain and establish this constitution. Art. I. Bill of Rights. That the general, great, and essential principles of liberty and free government may be recognized and established, we declare: Sec. I. Texas is a free and independent state, subject only to the constitution of the United States; and the maintenance of our free institutions, and the perpetuity of the union depend upon the preservation of the

partment, provision was made to increase the number of members of the house of representatives to 150, at the rate of one additional member for each 15,000 inhabitants at each fresh apportionment. The number of senators was permanently fixed at thirty-one. The legislature was to meet every two years, and whenever especially convened by the governor. The governor's term of office was reduced to two years, and his salary from $5,000 to $4,000. All vacancies in state or district offices were to be filled by appointments of the governor, with the consent of two-thirds of the senate. The judicial power was vested in one supreme court, consisting of a chief justice and two associate justices, a court of appeals composed of three judges, and district, county, and other courts. The state was divided into twenty-six judicial districts, and the office of district attorney was abolished. Article VI. of the constitution of 1869, respecting the right of suffrage, was stricken out, and another substituted, in which no mention is made of "race, color, or former condition." Provision was made that separate schools should be provided for the white and colored children; and foreign immigration was discountenanced.[34]

The 15th legislature met in April 1876, and the formality of the reinauguration of the governor and lieutenant-governor was observed. In his message to the legislature, Governor Coke criticised the new constitution, and pointing out defects, recommended that the legislature propose the necessary amendments which it was empowered to do.[35] The judiciary arti-

right of local self-government unimpaired to all the states. Sec. II. All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a republican form of government, and subject to this limitation only, they have at all times the inalienable right to alter, reform, or abolish their government in such a manner as they may think expedient. Copies of both constitution will be found in *U. S. Charters and Constit.*, ii., 1801–56.

[34] Sec. 55 of Art. XVI., reads thus: 'The legislature shall have no power to appropriate any of the public money for the establishment and maintenance of a bureau of immigration, or for any purpose of bringing immigrants to this state.'

[35] Art. XVII. provided that by a vote of two-thirds of all the members

cle occupied his special attention. He considered the system framed in it so faulty, inefficient, and expensive, that in his judgment it would be better not to attempt to amend it, but to substitute an entirely new article. He describes its prominent faults in the following words: "It provides for two high courts of last resort, giving supremacy to neither, and leaves the country to be vexed with uncertainty as to what is the law when conflicting opinions are announced by these tribunals. It established county courts, conferring on them extensive general and statutory jurisdiction, and prescribes no qualification for the judges, thus submitting at least half of the litigation of the country, and the administration of the laws to judges, many of whom are utterly uninformed of the laws they must administer, leaving suitors no remedy for inevitable injustice, except an expensive appeal to a distant court. It abolishes the office of district attorney, heretofore filled by men of learning, ability, and experience, and substitutes that of county attorney, most frequently to be filled by inexperienced men, leaving many counties without prosecutors at all, where they are most needed, thereby paralyzing the efficiency of the laws, exempting criminals from punishment, and inviting an increase of lawlessness and crime, so difficult to repress under the most rigid enforcement of the laws." Moreover, it extended the jurisdiction of justices of the peace over matters and rights too important to be submitted to the judgment of men usually unlearned in the law; it failed in some instances to provide for appeals; it provided insufficient salaries for district judges; and surrendered the people, in a considerable portion of the state, "to the domination of uneducated and ignorant suffrage," in three-fourths of their litigation.

On the subject of taxation he calls attention to the

elected to each house, the legislature might propose amendments to the constitution, which were to be published and submitted to the people for ratification.

glaring inconsistency in the rates assigned to cities and towns of 10,000 inhabitants and less, and those containing more than 10,000 inhabitants. Sections 4 and 5, article XI., provided that the maximum rate of taxation for the support of the municipal government of the former should never exceed one-fourth of one per centum, and for the latter two and one half per centum. The enormous difference between these rates, he remarks, the utter inefficiency of the one, and the excessiveness of the other, are suggestive of inadvertence or mistake. His views with respect to the constitutional prohibition upon the encouragement of immigration were condemnatory. He regarded it as unwise and contrary to the plainest dictates of a proper policy. No amendments of the constitution in conformity with his suggestions have hitherto been made.

While the governor was able to report a greatly improved condition of affairs on the Indian frontier, and that the predatory incursions of the savages were becoming rare, he could not make a similar favorable statement with regard to the Mexican border troubles. Unfortunately the depredations of Mexican robbers on the east side of the Rio Grande had continued almost without interruption, and with increasing boldness and audacity. Murder, robbery, and conflagration had marked the track of their raids; the energies of that portion of the country were paralized, its wealth was destroyed, and the terror under which people lived threatened depopulation.

On May 5th Coke was elected senator to the United States congress, but continued to exercise the functions of executive till December 1st when he resigned,[36] and Lieutenant-governor Hubbard succeeded to the office.[37]

[36] The executive officers during Coke's administration were the following: S. H. Darden, comptroller; A. J. Dorn, treasurer; J. J. Groos, land commissioner; A. W. DeBerry, secretary of state; O. N. Hollingsworth, supt pub. instruction; William Steele, adjutant-general; Geo. Clark, attorney-general, also H. H. Boone; Jerome B. Robertson, supt. bureau of immigration. *Walsh and Pilgrim's Direct. Constit. Conven.*, 4; *Thrall*, 437.

[37] Richard B. Hubbard was born in Georgia in 1834; graduated at Mercer

During Governor Hubbard's administration a serious trouble arose between the Texan and Mexican citizens of El Paso county. The particulars are as follow: In December, 1877, a riot occurred at San Elizario, arising from interference with the right of Mexican citizens of Texas to the free use of the Guadalupe salt lakes, lying 90 miles east of that town. The anger of the people was aggravated by a personal feud existing between two leading inhabitants, Charles H. Howard, and Louis Cardis, who was extremely popular with the Mexicans. Howard, having located certain salt deposits, endeavored to establish a private occupation of them, and the right to exact pay for salt taken therefrom. Cardis instigated the Mexican citizens of El Paso county to resist this encroachment upon their rights,[28] and when Howard with the county judge and a justice of the peace, endeavored to force matters by attempting to arrest certain parties engaged in the business at San Elizario, they themselves were seized by a mob of Mexicans who threatened to take Howard's life. Through the efforts of Cardis and Pierre Bourgade, the priest of the parish, they were released, Howard being compelled to sign a bond for $12,000 with sureties, engaging to leave the county and not return. This occurred at the end of September, 1877, and Howard retired to New Mexico.

But at the beginning of October, notwithstanding his pledge, he returned to El Paso where, on the 10th of the same month, he shot and instantly killed Cardis without a word of warning. Cardis, though an

university in 1851, and at Harvard law school in 1852. In the following year he migrated to Texas and settled at Tyler, Smith county. He was appointed U. S. district attorney in 1856, and was representative for his district in the legislature in 1858. When the civil war broke out he commanded the 22d regiment Texas infantry, and was promoted later to the command of a brigade. In 1872 he was elector on the Greeley ticket.

[28] Both under the Spanish and Mexican govts the free use of these salt deposits had been granted to the citizens of towns on both sides of the Rio Grande. The Texan citizens of Mexican descent maintained that the treaty, by which the territory wherein the salt lakes lie was transferred to the U. S., did not extinguish the right of the public to them.

Italian by birth, possessed the entire confidence of the Mexican population, being regarded as a friend and champion; indeed he had been elected to represent their interests in the legislature. His death excited the most angry feelings, and a determination to take vengeance on the murderer whenever an opportunity might present itself. Howard, after the perpetration of the deed, went back to New Mexico.

The exasperation of the Mexican inhabitants of San Elizario displayed itself in the beginning of November, when about 200 men collected with violent demonstrations against Howard's bondsmen, from whom they demanded payment of the $12,000, and whose lives they threatened to take. Major John B. Jones, of the frontier battalion of Texan rangers opportunely arrived, and by his representations the malecontents were prevented from proceeding to violence and agreed to disperse.

On November 16th, Howard returned to El Paso where he surrendered himself, and was admitted to bail on a bond for $4,000. Somewhat later a train of wagons left San Elizario for the salt deposits, and were expected to return by December 12th. When Howard, who was at Mesilla, heard of this he determined to enforce his rights, and on the evening of that day, with about 25 Texan Rangers, under Lieutenant J. B. Tays, entered San Elizario for the purpose of assisting the sheriff to execute writs of attachment on the cargoes of salt. Whereupon the Mexican population rose in arms, being presently joined by a number of Mexicans from the other side of the river. Howard and John G. Atkinson, one of his bondsmen, took refuge in the rangers' quarters, but Charles E. Ellis, another bondsman, while endeavoring to do the same, was killed in the streets. On the following morning Sergeant C. E. Mortimer was shot while within 100 yards of the quarters, which were forthwith laid siege to by the rioters, and firing commenced.

The besiegers repeatedly demanded the surrender of Howard, which was as often refused, their intention to kill him being well known. On the 17th, however, it appears that the position of the assailed was considered so desperate that Lieutenant Tays and Howard went out to confer with the rioters, who promised the latter his life if he would relinquish all claim to the salt lakes. As there was no one to interpret for them, Atkinson was sent for, and on his arrival some arrangement was made by him with the insurgents,[29] upon which the rangers surrendered, whereupon they were immediately disarmed and confined.

A meeting was now held by the ring-leaders, at which it was decided to put to death Howard, Atkinson, and Sergeant McBride, a ranger who had made himself very obnoxious to the Mexican element. Thereupon these men were led out and shot, Howard first. Had it not been for the influence of Chico Barela, the chief leader of the mob, all would have been killed; as it was, the rangers were permitted to depart, stripped of their arms and equipments. The store and mill of Ellis were sacked, and other robberies committed, as usual on such outbreaks.

Meantime the United States' district commander, Colonel Edward Hatch, hastened with troops to San Elizario, where he arrived on the 22d. He made such a disposition of his soldiers at Socorro, Ysleta, and Franklin as to stop all further violence, and restore order and confidence. Most of the principal actors in this tragedy escaped into Mexico, while several persons resisting arrest were killed by rangers sent after them by the sheriff. The Mexican authorities on the opposite side of the river seem to have been powerless to prevent their people from taking part in this riot. A large gathering had collected at El Paso, Mexico, to attend the annual fair held there December 12th,

[29] According to the account given by an eye-witness to the *Mesilla Independent*, N. Mex., Atkinson gave $11,000 in specie, currency, and drafts, on condition that he, Howard, and the rangers should be permitted to depart without molestation. *San José Pioneer*, Aug. 24, 1878.

and it was impossible to control the great number of bad characters that had assembled in the vicinity.[30]

At the election held November 5, 1878, Oran M. Roberts was chosen governor, Joseph D. Sayers lieutenant-governor, S. H. Darden comptroller, F. R. Lubbock treasurer, and W. C. Walsh land commissioner. George McCormick, George F. Moore, and M. H. Bonner were respectively elected attorney-general, chief justice, and associate justice. All these successful candidates were nominated by the state democratic convention, which had met at Austin in July.

On retiring from the executive office, January 14, 1879, Governor Hubbard, in his message of that date, supplies the legislature with a succinct and clear account of the financial condition of the state during the period from August 31, 1876, to September 1, 1878, from which it appears that the total receipts were $3,306,059.82 currency, and $81,297.10 in specie; the disbursements for all expenses of the government, including public schools and frontier defence, amounted to $3,227,362.55 currency, and $49,880.77 specie, leaving a balance in the treasury of $78,697.27 currency and $31,416.33 specie. With regard to the public debt, he reported that it amounted to $5,086,783, of which $5,034,109 were bonded,[31] and $52,674 floating, showing a decrease of $123,290. Indeed, the financial condition of the state was very favorable, her

[30] Fuller particulars will be found in *U. S. H. Ex. Doc.*, cong. 45, sess. 2, xvii., nos 84 and 93. See also *J. P. Hague's Acct*, MS., and *San José Pioneer*, *ut sup*. The Mexicans were finally obliged to submit to the tax, paying $1 per fanega—about 2½ bushels. *H. Misc. Doc.*, cong. 47, sess. 2, ii. 1025. This affair is known as the Salt war.

[31] Portions of the public debt had been bonded at intervals from Nov. 19, 1866. On July 6, 1876, an act was passed to provide for the payment of the bonds due and returnable in the years 1876 and 1877, and to make provisions for the floating indebtedness of the state, and to supply deficiencies in the revenue by the sales of these bonds of the state, and to make an appropriation to carry into effect the provisions of the same. Under this act the governor was authorized to dispose of bonds to the amount of $1,675,000, payable 30 years from July 1, 1876, in gold coin, and bearing 6 per cent interest. *Message*, Jan. 14, 1879, 8.

credit being such that her bonds, bearing an interest of six per centum, sold in New York at a premium of two and a half per centum.

The policy of Governor Roberts,[32] as expounded in his inaugural address, aimed at important changes. He objected to positive laws limiting judicial discretion from fear of abuse of power; he deprecated the present system of procrastination in the sale of the public lands, thereby burdening the present generation with taxes for the doubtful benefit of future generations; and he advocated the disposal of the public lands at a fair value as soon as practicable, so as to meet the obligations of the government, increase the school and other funds, and relieve the present generation from an onerous taxation, imposed for the dim prospect of a future good which would never be realized.

On January 27th he sent a special message to the legislature on the judiciary, in which, like Coke, he advocated amendments of the constitution, one of which savored somewhat of a dislike to the utter overthrow of everything in the form of centralism.[33] He recommended that district attorneys should be appointed by the governor, and be removable at his pleasure. His reasons were not without some force. "The district attorney," he said, "is peculiarly an

[32] Oran M. Roberts was born, 1815, in S. C., and educated at the university of Alabama. Selecting law as his profession, he commenced practice in 1838 in that state, but in 1841 migrated to Texas. Having settled at San Augustine, he became district attorney in 1844, and district judge the year following. After annexation, he resumed the practice of his profession, which he continued until 1857, when he was elected one of the associate justices of the supreme court. In 1861, he was chosen president of the secession convention, assembled at Austin, and in that capacity, acting under its authority, proclaimed Texas a free and independent state. In 1862, Roberts raised a regiment for confederate army, and was attached to Gen. Walker's division, but was afterward elected chief justice of the state. He was in the first reconstruction convention in 1866, and the ensuing legislature elected him to the U. S. senate, but he was not allowed to take his seat. He then resumed the practice of his profession. In 1874, the supreme court having been reorganized, he was restored to his position as chief justice, and was re-elected in 1876. *Hanford's Tex. State Reg.*, 1879, 127; *Gov. Inaug. Ad.*, Jan. 1879, 11.

[33] Gov. Coke also considered that the rebound from centralism had been too excessive. He wished the power of the executive not to be so much curtailed.

executive officer, representing the state; and, as the governor is required by the constitution to see that the laws are executed, he should be given full control of the attorney for the state to enable him to do it, and then he may be justly held responsible for it. As it is now, every district attorney and county attorney in the state is an independent executive officer."[34] He was, however, unsuccessful in his attempt to have the constitution amended.

On June 10, 1879, Governor Roberts convened an exta session of the legislature, and submitted no less than 39 different matters for its action thereon. The most important were: to make an appropriation for the annual payment of the interest on the public bonded debt, and for a sinking fund for the ultimate discharge of that debt; to provide for the sale of the public lands and those pertaining to the university, the free schools, and the asylums; and to make appropriations for the support of those institutions, out of the interest of the state bonds and railroad bonds, at that time amounting to over $3,000,000. Other matters were the amendment of old laws and the passage of new ones for the better government of the country generally.

The system of removal or extermination as applied to the Indians in Texas, has been thoroughly carried out. For many years after the removal of the Indian colonists in 1859, the frontier suffered from devastations committed by wild tribes, which found a safe retreat in uninhabited regions of the United States and Mexico.[35] The Comanches and Kickapoos proved themselves conspicuously troublesome, the former claiming the country as their own, and the right to make raids into it, and the latter declaring themselves at

[34] *Gov. Roberts' Message to the 15th Legis.*, 1879, 13.

[35] In 1866 permission was granted by the Mexican authorities to Capt. Brotherton, to cross the frontier in pursuit of Indian marauders. *Mex. Col. Leg.*, D. C., 63–7, iii. 3–6.

war with Texas, though not with the United States. Within the territory of the state itself few Indians remained, since it appears that in 1870 there were only 500 Tonkawas and Lipans, and a few years later Texas was relieved from the hostile incursions of the Kickapoos, who were removed to a reservation on Indian Territory.[36] Since that time all hostile Indians have been subdued, and by 1882 the remnant of harmless natives within the borders of the state had been reduced to 108 souls, men, women, and children.[37]

Under the terms of the annexation treaty of 1845, Texas retained possession of all vacant and unappropriated lands within her boundaries; but from that time to the present the boundary has not been definitely settled. A dispute has occurred, arising out of the old treaty with Spain of February 22, 1819,[38] in which the Red river is made the boundary between the 94th and 100th degree west longitude from Greenwich. At the date when this treaty was made but little information had been obtained respecting the region extending along the upper portion of Red river, nor was it known that the river was divided into two branches—now called the north and west forks—between the 99th and the 100th meridians. As late as 1848 all maps described Red river as a continuous stream, the north fork not being laid down upon them. By an exploration, however, made in

[36] By act of congress, June 22, 1874. A portion of the Kickapoos refused to leave Mexico, where they had made their new home. A promise was given by the Mexican authorities to locate them on a reservation at such a distance from the border line as to prevent, with the supervision that would be exercised, any further disturbance from them. Prior to the civil war this tribe was located in Texas. *U. S. Sen. Misc.*, cong. 45, sess. 2, i., no. 23.

[37] They were located in the vicinity of Fort Griffin, Shackelford county. They had no reservation, and were dependent to a great extent upon the whims of the land owners of the surrounding country; had no stock, and lived in brush-houses and topees. They had always been friendly to the whites and were well contented. An insufficient appropriation for their support was annually made by the U. S. government, and the citizens of Texas had assisted them from time to time. *See. Interior Rept.*, 1882, 207, 400, 430; *Id.*, cong. 41, sess. 2, 835, 893; *U. S. Sen. Misc.*, cong. 41, sess. 2, doc. 136, 17, 21; *H. Ex. Doc.*, cong. 47, sess. 2, xxi., no. 77, 64.

[38] See pp. 46–7 this vol.

1852 by captains Marcy and McClellan, under the direction of the war department, it was discovered that there were two main branches to the river proper; but, probably owing to the inaccuracy of their instruments, the explorers located the 100th meridian below the junction. In 1857 the commissioner of Indian affairs, who wished to know the boundary between the Choctaw and Chickasaw countries, caused an astronomical survey to be made for the purposes of ascertaining the true meridian, which was found to be 80 miles west of the junction of the two forks, the surveyors designating Prairie Dog Fork, that is South Fork, as the main branch. Texas at once questioned this designation, and congress passed an act, approved June 5, 1858, authorizing the president in conjunction with the state of Texas to mark out the boundary line. Commissioners on both sides were appointed who proceeded to do their work in 1860. No agreement, however, could be arrived at, and Texas, adopting the report of her commissioner, established the territory in dispute—about 2,000 square miles in area—as a county under the name of Greer.[39] In 1882 a bill was before congress seeking to establish the North Fork as the true boundary, but hitherto no settlement of the question has been attained. Meantime complications have arisen, through persons claiming to exercise rights on the disputed land under the jurisdiction of the state of Texas; conflicts have taken place, and blood has been shed, owing to procrastination in the adjustment of the disputed claim.[40]

On the 16th of January 1883 John Ireland, having been chosen governor, assumed office and was succeeded, in January 1887, by L. S. Ross. No state in the Union has passed through more political vicissi-

[39] In an act of congress of Feb. 24, 1879, 'to create the northern judicial district of the state of Texas,' etc., Greer county is included in the district. *U. S. Statutes*, 1878–9, 318.

[40] The question having been agitated for so many years the references respecting it are very numerous. The above sketch is derived from *Sec. Interior Rept*, 1882, 15; *U. S. H. Repts*, cong. 47, sess. 1, v., no. 1282.

tudes than Texas. During the present century her people have fought and bled under no less than five different national flags, representing as many different governments. First we find her with a sparse population among which might be found some few individuals of the Anglo-American race, under the royal standard of Spain, ruled by monarchical laws; next the eagle of the Mexican republic dictates the form of government, and exasperates by oppression the free-spirited settlers from the United States; then follow revolt and a short but sanguinary struggle for independence, terminating in the establishment of the Texan republic with its emblematic lone star flag. After a brief existence, however, as a sovereign nation, Texas was content to repose beneath the standard of the stars and stripes, which in turn she threw aside to fight under the confederate banner. Such is the outline of her career. The land which was once the abode of savages has been converted into a civilized country which will prove a center of human development.

CHAPTER XX.

INSTITUTIONAL AND EDUCATIONAL MATTERS.

1835–1888.

RAPID PROGRESS—POPULATION—SOCIAL ADVANCEMENT—DECREASE OF CRIME—THE STATE CAPITOL—THE HUNTSVILLE PENITENTIARY—REFORM OF ABUSES—RUSK PENITENTIARY—CHARITABLE INSTITUTIONS—ASYLUM FOR THE DEAF AND DUMB—THE INSTITUTE FOR THE BLIND—INSANE ASYLUM—DEVELOPMENT OF EDUCATION—APPROPRIATIONS FOR THE ESTABLISHMENT OF FREE SCHOOLS—THE PUBLIC SCHOOL SYSTEM—STATISTICS—FOUNDING OF THE TEXAS UNIVERSITY—THE AGRICULTURAL AND MECHANICAL COLLEGE—FIRST PROTESTANT CHURCHES—MARRIAGE BY BOND LEGALIZED—ECCLESIASTICAL STATISTICS—FIRST PRINTING PRESS IN TEXAS—EARLY NEWSPAPERS—TEXAS EDITORIAL AND PRESS ASSOCIATION.

SHORT as has been her life, the commonwealth of Texas has had a varied experience; first as the borderland of contending colonies, then a lone republic, as member of the great federation, member of the southern confederacy, and finally reinstated as one of the still unbroken union. The annals of her past career, as we have seen, are replete with stories of romantic events, and persevering struggles to shake off the leaden weight of impeding influences, and elevate herself to the proud level of advancing civilization. Her future is bright; she has entered the broad highway of universal progress, and henceforth her march will be one of unprecedented prosperity. A marvellous rapidity has already marked her onward course to wealth and happiness. Probably there never was a country which entered upon the long and brilliant progressional career which we may confidently look forward to in this instance, under more favorable

auspices than this state. Although older than any of the more northern Pacific states, it has developed more slowly, and has avoided many of their mistakes. The great curse of California is not here entailed. The people are still freemen, and the law-makers and public officials are their servants. There is little or no public debt; their public lands are their own, and they have not all fallen into the hands of sharpers and speculators; they rule the railroad companies instead of being ruled by them; unjust and oppressive monopolies are not permitted. Here are the seeds of life instead of the elements of disease and death. With her vast area of tillable and grazing lands, a people rapidly increasing in numbers, wealth, and refinement; with young and healthy institutions resting on honest republican foundations; with a determination on the part of the people to admit within their borders no species of despotism, no form of tyranny, there is no height of grandeur to which this commonwealth may not reasonably aspire.

Indian depredations on the frontier have ceased, and cattle-raiding on the Rio Grande border-land will soon be a trouble of the past; lawlessness and crime are yielding to fearless administration of justice and the application of the laws, and order is sweeping from her path the refuse that for decades obstructed the progress of large portions of the state.

The advancing strides made by Texas since the civil war, toward the goal where lofty aspirations will win the prize of unalloyed prosperity, are strikingly exhibited by official statistics on population, agriculture, commerce, industries, and developing enterprises. According to the census returns of the United States, the total population of Texas in 1860, was 604,215; in 1888 it could not be far short of 3,000,000. From the same source it appears that in 1860, there were 51,569 farmers, 2,576 stock-raisers, 2,223 merchants, and 1,502 school teachers. In 1880 there were 200,404 farmers and planters, 14,031 persons engaged in

stock-raising, including drovers and herders, 10,964 traders and dealers, exclusive of clerks and employes in stores, and 4,334 teachers.[1] In connection with this extraordinary increase of population, due mainly to immigration, it will be proper to compare the social and political condition of the people with what it was quarter of a century ago,—as described in chapter XV of this volume—and just subsequent to the war.

During the reconstruction period the condition of the people of Texas, from all points of view, may be considered to have reached its lowest ebb. The sudden elevation of the freedmen to the rights of citizenship and suffrage, overwhelmed for a time the white population at the polls, and the colored inhabitants with their partisans, the "black leaguers," carried their candidates for all state offices. As a result of this abrupt change from slavery to political equality with the whites, not only was a conflict between the two races inaugurated, but the debased negroes, no longer debarred the use of spirituous liquor, under its influence incessantly, engaged in frays among themselves, which generally terminated in bloodshed. The number of murders committed during this period was unparalleled in any epoch of Texan history, as I have

[1] The following table, made from the U. S. census returns, will enable the reader to mark the rapid increase in population:

	1850	1860	1870	1880
White	154,034	420,891	564,700	1,197,237
Black	58,558	182,921	253,475	393,384
Indian		403	379	992
Chinese			25	136
	212,592	604,215	818,579	1,591,749

According to the state bureau of statistics, the population in 1884 was 2,215,700, showing an increase at the rate of over 155,000 a year.

W. O. Hamilton, representative in the legislature from Comanche and Brown counties, has lately introduced among other important bills, one to provide for the taking of a state census, with a strong probability of its becoming a law. Hamilton was born in Georgia, June 30, 1854, was admitted to the bar in 1879, in which year he went to Texas and settled in Comanche county. In 1880 he was elected county attorney, and in Nov. 1884, to the legislature. *Biog.*, MS.

shown,[2] and what was worse, the judiciary was inadequate to punish. Intimidation ruled the law courts, party spirit swayed the jury boxes, and local public passion dictated verdicts. Hence lynch law was more operative than the penal code. But this chaos was not destined to endure. The flood of immigration which set in from the states and all parts of Europe after the war, soon turned the scale. It mattered not whence the immigrant came, he was ready to support the white race against the black leaguers. A "white league" started into existence, and in 1874 was triumphant. The short-lived supremacy of the black league was destroyed forever in Texas.

Since that victory, hundreds of thousands of new settlers have made Texas their home, and their advent has tended, more than any other cause, to suppress lawlessness and crime, and build up an orderly and law-abiding community. Drawn from countries where the rigid laws of monarchical governments compelled obedience and secured order, or proceeding from older states where well-regulated society had developed under the more liberal principles of republicanism, they brought with them an abhorrence of savagism and a love of social fraternity. They wished to pursue their industrious and progressive vocations in peace, and turbulence found no encouragement among them. Thus it was that, under the new constitution of 1876, a code of laws, as stern in the punishment of crime as those prescribed in any civilized country, has been framed; and more than this, in Texas to-day, the laws against criminals are enforced with a degree of vigor and undeviating justice observable in no other

[2] Hepworth Dixon writing in 1875 says: 'We learn on good authority, that there were 3,000 murders in Texas last year, and that nearly all these murders were committed by negroes on their brother blacks.' *White Conquest*, i. 331. It is to such superficial enquirers and writers as Dixon, who are apt to accept and put into print any wild information supplied to them, that Texas is indebted for much of the bad reputation which she gained at one time. But if this gross exaggeration were true; if indeed, all the African voters had killed each other, instead of only 3,000; and if the low Irish voters had done likewise, the world would still turn round, and United States politics would be as pure as it now is.

state of the union.[3] Nevertheless, the people are still ready to take the law into their own hands. Murderers caught red-handed, horse-stealers, and ravishers of women are apt to have justice summarily dealt out to them by a crowd of indignant citizens, who, when the case is clear, are too impatient to tolerate the slow process of the criminal courts.[4] Under the influence of this judicial spectre, threatening immediate punishment, and the prompt and reliable application of the laws in the tribunals, crime in Texas is decreasing in a marked degree.[5]

[3] For instance: the punishment for rape is death. On July 5, 1883, a man was hanged for this crime in Ysleta, El Paso county. He was a discharged soldier, on his way through the country to the eastern states.

[4] During the six months ending June 30, 1885, no less than 31 persons were lynched in Texas. The number of scoundrels thus executed in all the states and territories during the same period was 99, Texas heading the list, followed by Tennessee and the Indian Territory, each with seven. Of the total number thus put to death, 58 were white and 41 black. The crimes they suffered for were: murder 44, horse-stealing 31, rape 14, incendiarism 3, train-wrecking 2, murderous assault 2, unknown reasons 2, and 1 for burglary. *S. F. Bulletin*, July 23, 1885, copied from *Chicago Tribune*.

[5] By consulting the following tables of criminal statistics for the four years succeeding the adoption of the new constitution, the reader will be able to form a comparative estimate of the proportionate decrease of crime as regards increased population, and the increase of convictions, thereby showing the growing efficiency of the tribunals.

INDICTMENTS	1877	1878	1879	1880
Murder	398	549	344	259
Theft	2,260	2,371	2,081	1,758
Arson	26	24	19	23
Perjury	82	90	79	74
Rape	53	53	34	44
Robbery	51	49	47	99
Forgery	85	256	155	131
Burglary	175	154	183	204
Totals	3,130	3,546	2,942	2,592
CONVICTIONS				
Murder	71	122	115	88
Theft	471	558	651	483
Arson	5	7	5	5
Perjury	3	1	10	5
Rape	11	9	16	9
Robbery	13	24	9	18
Forgery	9	17	19	36
Burglary	58	61	82	94
Totals	641	799	907	738

From the above showing, it appears that whereas in 1877 there were 3,130 indictments with only 641 convictions, in 1880 the indictments had decreased to 2,592, and the convictions increased to 738. This shows that a healthy

In other respects progress in Texas is equally marked. The log huts have given way to comfortable frame buildings on well-fenced farms, while villa residences of wealthy agriculturalists adorn the country, and in the cities fine edifices and spacious public buildings have been erected. The state capitol at Austin, when completed, will rival in dimensions and magnificence any other edifice of the kind in the United States, with the exception of the national capitol at Washington.[6]

With all this advancement in wealth and elevation, the former characteristics of the Texans still prevail. Hospitality is yet a prominent virtue, and the respectable stranger or visitor is received with a genuine welcome. He may be called upon to give some account of himself, but inquiries leading to such information—necessary as a provisional safeguard considering the condition that Texas has emerged from—are never impertinently made or inconsiderately pressed. The example set by the southern element in hospitality and other virtues is not without effect

judicial tone has been inaugurated, but that there is still room for improvement.

[6] By a provision of the constitution of 1876, art. xvi. sec. 57, 3,000,000 acres of the public domain were appropriated for the purpose of erecting a new capitol and other necessary buildings at the seat of government, the lands to be sold under direction of the legislature. The lands appropriated by legislative act, approved Feb. 20, 1879, amounted to 3,050,000 acres, and are situated in the section known as the Panhandle of Texas, being included in the counties of Dallam, Hartley, Oldham, Deaf Smith, Parmer, Castro, Bailey, Lamb, Cochran, and Hockley. In reply to an advertisement of Nov. 20, 1880, for plans and specifications, eleven designs were sent in, that of E. E. Myers, architect, Detroit, Michigan, being adopted. The form of the building is that of the Greek cross, with a rotunda and dome at the intersection. Its length is 562 feet, exclusive of porticos, and its greatest width 274 ft. Besides the basement and dome, it will comprise three full stories. According to the contract, work was to commence on or before Feb. 1, 1882, and the edifice to be completed and delivered on or before Jan. 1, 1888. The contractor, Matthews Schnell, of Rock Island, Ill., engaged to erect the building according to the plan and specifications for the 3,000,000 acres of land. The additional 50,000 acres appropriated by the legislature were set apart to defray the expenses of surveying. Conveyances of lands are made to the contractor by instalments, as the specified requirements as to time and work done are complied with. The original contract has undergone various modifications. The corner-stone was laid March 2, 1885, being the anniversary of the independence of Texas. *Tex. Rept Cap. Building Com.*, Jan. 1, 1883, and 1885.

on immigrants from foreign climes. While imitating these high principles the latter bring with them a tranquillizing influence, steadily operating in the direction of a higher order of civilization. A national character is gradually being developed by amalgamation, objectionable distinctions are gradually vanishing, and refinement is taking the place of coarseness.[7] The day is not far distant when the white people of Texas will be a community homogeneous in feelings, principles, and aspirations. Texas has passed through the furnace of an ill-considered problem; has been worsted in the argument conducted by bayonet, sword and cannon, and has accepted the result. No spot on earth is more favored with all the resources needed for an advanced condition of progressive development than is Texas, and her people have long since settled down to their pursuits amid the enjoyment of permanent tranquillity.

With reference to the criminal statistics given above, it is proper to make some mention of the state penitentiaries. The first provisions for the establishment of such an institution was made by the legislature in 1846. In the following year work was commenced at Huntsville, and 11,000 square yards were in time inclosed with a brick wall and buildings erected containing 240 cells, the first convict being incarcerated October 1, 1849. During the following decade only 412 malefactors were committed, and on September 1, 1860 there were no more than 200 convicts in prison.

The system adopted by the state government was to make the penitentiary self-supporting by convict labor, and in 1856 machinery and suitable buildings were erected for the manufacture of cotton and woolen goods, work commencing in the factory in June of that year.[8] From this time to the close of the civil

[7] Said an English settler to Hepworth Dixon more than ten years ago, 'we drink less liquor, and invoke more law.' *White Conq.*, i. 336.

[8] Provision was made for the establishment of this factory by the legisla-

war the income derived was greatly in excess of the expenditure.[9]

During the reconstruction period the number of convicts so increased that there was neither room nor employment for them within the walls of the penitentiary,[10] and recourse was had to employing the surplus on the railroads—a system strongly deprecated by Governor Davis.[11] Moreover, the annual expenses began to exceed the income at a gradually increasing rate, and on July 5, 1871, the penitentiary was leased to Ward, Dewey & Co. for the term of fifteen years.[12] This was neither a humane nor enlightened policy, the convicts being submitted to systematic maletreatment. They were ill fed, badly clothed, hard worked, and much abused. The charges of inhumanity became so repeated that in April, 1875, the government appointed a committee to investigate and report upon the condition and general administration of the penitentiary. The result was that a mandatory law was passed by the fifteenth legislature requiring the governor to resume possession of the Huntsville penitentiary, and on April 2, 1877, the lessees surrendered the control of it to Governor Hubbard. After this lamentable failure of the lease system it is surprising that the government should have persisted in it; yet the penitentiary was again leased December 16, 1877, to E. H. Cunningham, of Béjar county.

ture in 1854. All possible labor such as brickmaking was performed by the convicts, by whom also most of the work was done in the erection and extension from time to time of the penitentiary.

[9] For the 23 months ending Aug. 31, 1859, goods were manufactured to the amount of $169,365, yielding a profit of $14,849. This was the production of 40 looms. During the war additional machinery was set up, and the superintendent, Thomas Caruthers, in his report to the legislature of Aug. 31, 1863, states that in 21 months 2,233,587 yds of Osnaburgs, 405,025 yds cotton jeans, and 322,890 yds Kersey and other goods had been manufactured. The income amounted to $1,521,687, far exceeding the expenditures.

[10] In 1865 the number of convicts was 118; in 1870 it was 489 and 994 in 1871.

[11] See his message of Apr. 29, 1870, no. 5 in *Tex. Col. Doc.*, no. 2.

[12] The lessees were to pay the state annually $5,000 during the first five years; $10,000 during the next five years, and $20,000 during the last quinquennium.

It had long been evident that additional institutions of the kind were necessary, as the existing one contained accommodation for little more than one fourth of the convicts.[13] In 1875, therefore, provision was made for the establishment of two others, one east of the Trinity, and one west of the Colorado. The first was established and located near Rusk, 5,000 acres of land having been purchased in the vicinity of that town, and the necessary buildings erected. The Rusk penitentiary was completed in January, 1879; it contains 528 cells, has attached to it a library and epidemic hospital, besides the general hospital, and cost the state $160,000.

This additional means for the confinement of prisoners has done much toward the suppression of crime in Texas. There is no longer an avenue of escape open to the majority of convicted criminals as was the case before the erection of the Rusk penitentiary, and the risk which malefactors take of meeting with their deserts, without chance of evasion, is so largely increased that it constitutes one of the factors which regulate the decreasing ratio of crime to population. With regard to the administration of these institutions, owing to the enlightened policy of Barnett Gibbs[14] and his supporters in the legislature, the system of leasing the penitentiaries has been done away with. On April 18, 1883, an act to provide for the more efficient management of the Texas state penitentiaries was approved, the third section of which enacts that "no lease of the penitentiaries, or either

[13] On Jan. 1, 1876, the total number of convicts was 1723, of which only 443 were employed in and immediately around the prison, the remainder were laboring on farms, railroads, and in saw mills. From Sept. 1, 1874, to Jan. 1, 1876, 266 convicts escaped and 28 were killed in attempting to escape. *Gov. Coke's Mes.*, Apr. 1876, 42.

[14] He was born in Yazoo city, Miss., May 19, 1851, his father being Judge Hugh D. Gibbs, and his grandfather Gen. Geo. W. Gibbs, both prominent in that state. Barnett Gibbs graduated at the university of Virginia in 1871, and also at the Lebanon Law College in 1873, when he went to Texas and settled in Dallas, where he was elected city attorney in 1875 and twice reëlected in 1877 and 1879 respectively. In 1883 he was chosen senator to the state legislature from that county, and in Nov. 1884 was elected lieutenant-gov. by a majority of 132,000 votes. *Biog. Sketch*, MS.

of them, shall hereafter be made, and the state shall resume control thereof." The law was to take effect after passage.[15]

Enactments were passed in August, 1856, for the establishment of charitable institutions. The appropriations were sufficiently liberal for the requirements at that time, an endowment of 100,000 acres of land and $10,000 being granted for support to each asylum to be erected for the deaf and dumb, the blind, and for orphans.[16] For a lunatic asylum $50,000 of United States bonds were appropriated for the erection of the building, a similar quantity of land being also donated.

The institution for the deaf and dumb was opened January 2, 1857, I. Van Nostrand, of New York, being appointed the first principal. Instruction commenced with only three pupils which number had increased to seventy-one by October 31, 1880, and John S. Ford, the superintendent, in his report of that date, believed that the future annual increase would be nearly 100 per centum. Under an act of the fourteenth legislature the experiment of teaching the deaf mutes the printer's art was made and produced most favorable results. The pupils soon proved themselves apt scholars in type-setting and press work, and Ford considered that if allowed to finish their education in this branch they would successfully compete with the best practical printers. Other mechanical arts taught in this asylum are mattress-making, book-binding, cabinet-making, shoe-making, and some others.

A similar system of instruction is pursued in the education of the blind, but these unfortunate beings labor under greater disadvantages than the deaf and

[15] *Tex. State Peniten. Rules*, 1883. The lease to Cunningham expired Jan. 1, 1884; consequently since that date the penitentiaries have been under the control of the government.

[16] In regard to an orphan asylum, in 1868 such an institution was opened at Bayland, Harris county, by the Rev. Mr Preston. In 1873 the legislature donated to this institution a portion of the land set apart in 1856 for an orphan asylum. *Thrall*, 736.

dumb; progress is slower, and most mechanical occupations are beyond their requirement. Nevertheless they soon become proficient in making baskets, brooms, and chairs; they are also taught music and telegraphy, in the former of which they make especial progress. This institute went into operation in 1858, with ten pupils in attendance, a commodious house being rented in Austin until the state building was completed. In that year the legislature added $6,500 to the supporting fund, and appropriated $12,500 for the purchase of a site and the erection of the building, which was finished by December 1860. During the war means were wanting for the successful operation of this establishment, but $9,600 were expended in 1867 in repairing the building, and the sixteenth legislature appropriated $7,500 for the erection of additions thereto. In January 1879, sixty-eight blind persons were in attendance; since that time the institute has progressed in proportion to the necessity for providing for the relief of this helpless class. Both this institute and that for the deaf and dumb are situated in the vicinity of Austin.

The site selected in 1857 for the lunatic asylum lies three miles north of Austin. The plan adopted for the construction of the building was such as to admit of additions being made to it from time to time without marring the symmetry of the whole. Glasscock and Miller, of Austin, obtained the first contract by which they engaged to erect three sections for the sum of $47,514. The first superintendent was C. G. Keenan, who held office from 1858 to 1862 when Dr Steiner succeeded him. During that period 67 patients had been admitted, of whom 49 were males and 18 females. After the abolition of slavery in Texas additional premises were required for the admission of freedmen, and in 1867 what is known as the Cross property was purchased and improved at a cost of $35,000. The completion of the original plan of the building having been prevented by the civil war,

$20,000 was appropriated in 1870 for the erection of the remaining sections. In that year the inmates were 83 in number, which by August 31, 1878, had increased to 275.[17] With the growth of population the necessary additions have been made to accommodate the increasing number of applications for admission into the asylum.

It may be asserted without cavil that previous to the independence education was a dead letter in Texas,[18] and in their statement of grievances in the declaration of independence, the colonists made the failure of the Mexican government to provide means of instruction, which had been promised for their children, one of the many grounds of complaint. No sooner, however, was the victory won than the Texans in their constitution of 1836 declared that it should be the duty of congress, as soon as circumstances would admit, to provide by law a general system of education.

Accordingly, in January 1839, the congress of the new republic assigned three leagues of land to each organized county, and in the following year an additional league, for the purpose of establishing primary schools. By the same act, fifty leagues of land were devoted to the establishment of two colleges or uni-

[17] The total resident number of lunatics during the fiscal year ending Aug. 31, 1878 was 370, thus exhibited:

Patients discharged restored	58
Patients discharged improved	21
Patients discharged unimproved	4
Patients died	12
Remaining	275
	370

Gov. Hubbard's Mes., Jan. 14, 1879, 37.

[18] Almonte, in his report of Jan. 1, 1835, states that a school had existed in Béjar, supported by the ayuntamiento, but it had been closed from want of funds; that there was a private one near Brazoria with 30 to 40 pupils, which was supported by subscriptions; and that there were three primary schools respectively at Nacogdoches, San Agustin, and Jonesburg. He remarks that those colonists who could afford the expense preferred to send their children to be educated in the U. S.; those who could not, cared little about instructing their sons in matters other than felling trees and hunting wild game. *Not. Estad. Tej.*, 40, 64–5, 76.

versities, to be thereafter created. In February 1840, a law was passed making the chief justice and two associate justices in each county a board of school commissioners, whose duty it was to organize their county into school districts, inspect schools, examine teachers, and give certificates of qualification and character to deserving applicants. Under this basis, it seems that schools were established in the more settled counties.[19]

But a thorough system of general education in Texas was of slow growth, owing at first to sparseness of population, and later to set-backs caused by the disorders created by the war with Mexico, and that of the secession. When Texas entered the union, it was provided by the new constitution of 1845 that the legislature should, as early as practicable, establish free schools throughout the state, and furnish means for their support by taxation on property; that not less than one tenth of the annual revenue of the state derived from taxation should be set apart as a perpetual fund for the same purpose; and that the lands already granted for public schools should not be alienated. But the confusion which presently set in prevented anything from being done till January 1854, when an act to establish a system of schools was approved, and $2,000,000, in five per cent United States' bonds, were set apart as a school fund. Under this act, a system was organized,[20] which continued in operation till the civil war broke out, when again confusion prevailed, most of the public schools being closed during that period.

On emerging from the civil strife, Texas found her-

[19] The U. S. census of 1850 shows that 349 public schools were reported as existing in Texas, with 360 teachers and 7,946 scholars.

[20] According to the U. S. census of 1860, there were 1,218 public schools in Texas at that time, with 1,274 teachers and 34,611 scholars. The school income amounted to $414,168, of which $6,743 were derived from endowments, $15,847 from taxation, and $58,394 from public funds, making $80,984, leaving $333,184, which doubtless came from tuition fees paid by the parents. The schools, therefore, were not yet free schools, properly speaking.

self without resources, and her school fund wasted;[21] but she devoted herself at once to the task of repairing the evil. Under the constitution of 1866, all funds, lands, and other property previously set apart for the support of the free school system were rededicated as a perpetual fund. It furthermore devoted to that fund all the alternate sections of land reserved out of grants to railroad companies and other corporations, together with one half of the proceeds of all future sales of public lands. The legislature was deprived of the power to loan any portion of the school fund, and required to invest the specie principal in United States bonds, or such bonds as the state might guarantee; and it was authorized to levy a tax for educational purposes, special provision being made that all sums arising from taxes collected from Africans, or persons of African descent, should be exclusively appropriated for the maintenance of a system of public schools for the black race. Provision for the university was renewed; a superintendent of public instruction was directed to be appointed by the governor, who, with him and the comptroller, should constitute a state board of education, and have the general management and control of the perpetual fund and common schools, under regulations thereafter prescribed by the legislature.

The constitution of 1868 did not materially alter these provisions, except in one marked particular, and that was in the significant omission of the provision appropriating the taxes paid by colored persons for

[21] Nearly all the $2,000,000 in U. S. bonds appears to have been lost by injudicious loans to railroad companies before the outbreak of the war. Gov. Throckmorton, in his message of Aug. 18, 1866, says: 'There is also in the treasury, due the school fund, $1,753,317, interest-bearing bonds of railroad companies, with interest due upon said bonds up to March 1, 1866, amounting to $300,209.89. I am unable to form an opinion as to the probability of the payment of this interest.' Gov. Davis, in his message of Apr. 28, 1870, includes in the school fund $2,742,198, principal and interest, due from railroad companies. He remarks: 'I suppose upwards of two millions of the total due by the railroads could be realized with certainty.' He recommends a sale of all the roads indebted to the school fund.

the support of schools for their children. The schools were made free to all.[22]

Under this constitution a law was passed August 13, 1870, directing the governor to appoint a superintendent of public instruction, to serve until the next general election, and ordering that thenceforward that official should be elected by the people, to serve for a term of four years; each organized county was made a school district, and each county court a board of school directors, which, subject to the direction of the state superintendent, were charged with the duty of dividing it into sub-districts. The schools were to be open at least four months in the year, and the directors were to see that all children between six and sixteen years were to attend, unless instructed elsewhere. One-fourth of the annual state revenue from taxation, an annual poll-tax of one dollar, and the interest on the perpetual fund, were set apart for the support of the schools.

In April and November 1871, amendments were made to this law. The state superintendent was directed to appoint for each judicial district a supervisor of education; and the board of education—the attorney general now taking the place of the comptroller—was directed to apportion anew the territory of the state into educational districts not exceeding twelve in number; all existing supervisors were to be retired, and one for each of the twelve districts appointed, whose duty it would be to examine teachers, and re-subdivide the counties in his jurisdiction into districts, appointing for each five school directors, with the approval of the state superintendent. These directors might levy taxes not exceeding one per centum, for the erection of school-houses. A penalty of $25 for non-attendance at school was ordered to be

[22] Art. ix., sec. 1, of the constitution reads thus: It shall be the duty of the legislature of this state to make suitable provisions for the support and maintenance of a system of public free schools, for the gratuitous instruction of all the inhabitants of this state between the ages of six and eighteen. *U. S. Chart. and Constit.*, pt 2, 1814.

collected from the parents of non-attending children. Under this system schools began to increase rapidly in number.[23]

During the years 1873 to 1875 inclusive, considerable changes were again made. The government was now democratic. The state superintendency and county boards of directors were retained, while the state board of education and supervisors of large districts were suppressed, and the trustees of each school district were ordered to be elected by the voters of the district. Under this reformed system, the control of the schools, management of the funds, the adoption of the method of education, and other matters connected with free tuition were placed in the power of the people, who elected their immediate agents. The enrollment in the scholastic year 1874–5 was 124,567 pupils, under 3,100 teachers in 2,924 schools.

By the constitution of 1876 some changes were again effected, both as regards the perpetual fund and the system. Instead of one half of the proceeds of sales of public lands being set apart for the fund, it was directed that one-half of the public domain should be donated to it;[24] all lands granted to counties for the support of schools were made the property of the counties respectively to which they were granted,[25] and the proceeds when sold were to be held in trust

[23] In Dec. 1871 there were 1,324 schools, with 1,578 teachers, and 63,504 scholars. The report for the following year showed 2,000 schools, with 127,672 enrolled scholars under 2,233 teachers. *H. Ex. Doc.*, cong. 44, sess. 2, iv., pt 2, 385–6.

[24] This change was introduced by A. T. McKinney, who was a member of the constitutional convention of 1875. McKinney was born, March 18, 1838, in Randolph county, Ill. His father, who was president of West Tennessee College, migrated with his family to Texas in 1850. The son graduated at Princeton in 1858, and was admitted to the bar in 1861. He served as a private soldier in the confederate army for two years, and on his return to Texas settled in Huntsville, and there practised his profession. In 1882 he was appointed regent of the university of Texas; was elected to the house of representatives, taking his seat in Jan. 1883. In the 18th legislature he introduced the measure which endowed the state university with 1,000,000 acres of land. McKinney has made various suggestions, recommending a new plan for the government and control of the public school system.

[25] By the constitution of 1868, the public lands given to counties were placed under the control of the legislature, and when sold the proceeds were to be added to the public school fund.

by the counties, for the benefit of public schools therein. Separate schools were to be provided for the white and colored children, and impartial provision made for both; and the board of education was restored to be composed of the governor, comptroller, and secretary of state.[26]

Under these provisions laws were enacted for the carrying out of the same. At a specially called session of the legislature, January 1884, improvements in the system were effected. The office of state superintendent was reaffirmed, the superintendent being made the official secretary of the board of education; boards of examiners of teachers were provided; and colored school communities were given the right to have trustees of their own race for their schools.[27] In 1884 county school affairs were superintended by county judges, and in cities and towns the boards of aldermen had the exclusive power to regulate and govern the free schools within their limit. Austin, Galveston, Houston, and the larger cities have school superintendents.

The system of free schools in Texas has firmly fixed itself in public esteem. According to Spaight's official map of December 1, 1882,[28] the principal of the perpetual school fund amounted to $4,166,383, in cash and bonds; the amount of land pertaining to the same was 33,000,000 acres, besides 4,002,912 acres given to

[26] By the school law of 1883, this board was authorized to appoint a secretary with a salary of $1,800 a year. *U. S. Rept. Com. Educ.*, 1883–4, 262. Benjamin F. Baker, was made secretary in Jan. 1883, and held that office for 18 months; the office of state superintendent of public instruction was then created by act of the 18th legislature in extra session, and in Nov. 1884, Baker was elected to it by a majority of 181,016 votes. He prepared the public school law in force at the time of writing, 1886. Baker was born in Russell county, Alabama, Jan. 20, 1851, migrated to Texas at the age of 18, practised law in the town of Carthage, and in 1876 was elected to the 15th legislature, was reëlected, and served during the 16th and 17th legislatures, when he declined reëlection and moved to Decatur.

[27] The framer of this law was A. J. Chambers, who was born in Mississippi in 1835, and went to Texas in 1853, where he was engaged in school teaching for ten years. In 1882 he was elected to the 18th legislature, and served to Jan. 1885.

[28] In *Tex. Resources, Soil, and Climate*, being the report of A. W. Spaight, the commissioner of insurance, statistics, and history, for the year 1882.

the counties; and the apportionment for the scholastic year 1882–3, to counties, cities and towns was $1,086,273. Yet as late as 1884, the expenditure was not wholly covered by the public school fund, some amount being paid teachers from private sources,[29] At Huntsville is established the Sam Houston Normal Institute, which offers a three-year's course of strictly professional training, aiming to furnish competent teachers for the public schools.

Although provision was made for the establishment of a university as early as 1839,[30] nothing was done till 1881, when at the election held September 6th, Austin was selected as the location.[31] Steps had been taken by the legislature on March 30, 1881, when an act was passed providing for the organization of a board of regents and appropriating $150,000 for the building, and $40,000 for the purchase of library and furniture. In September 1883 the university was opened,[32] young men and women being

[29] In the scholastic year 1883–4, the expenditure for public schools was $1,661,476 against $1,150,332 for the previous year. The net available school fund estimated for the year beginning Sept. 1, 1885, was $2,232,272. The following statistical summary is derived from reports sent from only 125 counties out of 166. The failure of so many county judges to report school statistics,—according to the explanation given by the superintendent—is owing to the fact that those officers had not time for such duties.

	NO. OF SCHOLARS.		NO. OF SCHOOLS.		NO. OF TEACHERS.
	White.	Colored.	White.	Colored.	
1882–83	112,569	40,473	3,996	1,181	5,037
1883–84	148,639	56,160	4,399	1,432	6,369

Prominent among the colored teachers is Prof. I. M. Terrill, the principal of school No. 6, at Fort Worth. Terrill is the son of a freedman, and was born at Anderson, Grimes county, Jan. 3, 1859. Educated in the common schools of Anderson, he entered Strait's University at N. Orleans, from which he graduated in June 1881. The children in his school take the same grade, and pass examinations equal to those passed by white children. R. F. Moore, the principal of the Keller academy, considers that the public schools of Texas have taken a high position, and will continue to improve yearly. He believes that a compulsory law—not existing at present—would be highly beneficial. *Moore's Obser.*, MS.

[30] By the constitution of 1876, 1,000,000 acres of land were set apart, in addition to the 50 leagues previously appropriated, to constitute a perpetual university fund. The total number of acres appropriated was 1,219,906½. *Tex. Univer. Vote Soc.*, 1882, 6.

[31] The number of votes cast in favor of Austin was 30,913, Tyler having 18,974. At the same time Galveston received the majority of votes for the location of the medical department.

[32] The board of regents consisted of Ashbel Smith, president; T. M. Har-

admitted on equal terms, tuition free. The academic department comprises instruction in literature, science and the arts,[33] the course extending over four years. In June 1885, the number of students was 206, of whom 55 were law students; of the remaining 151 nearly one third was represented by females.[34]

Special mention must be made of the Agricultural and Mechanical College, located four miles from Bryan, Brazos county. It was incorporated by an act of the legislature approved April 17, 1871, congress having granted November 1, 1866, 180,000 acres in land scrip for its foundation. The fund derived from this donation amounted in 1872 to $174,000, which were invested in bonds of the state bearing 7 per centum in gold. By successive appropriations, made by the state, aggregating $187,000, suitable buildings were erected, and the institution was opened in October 1876, there being six pupils in attendance. The increase in the number of stu-

wood, T. D. Wooten, E. J. Simkins, M. W. Garnett, James B. Clarke, M. L. Crawford, and B. Hadra; A. P. Wooldridge, secretary. *Tex. Univer.*, sess. 1, 1883–84, 2. One of the members of the board in 1886 was Geo. Thos Todd, who was chairman of the committee of education, in 1881, which framed the bill to establish and organize the university. Todd, when only four years of age, was taken to Texas by his father who moved thither in 1843. He was educated by his mother, whose maiden name was Eliza Ann Hudgins, and who originated and conducted for many years a female educational institute at Clarksville, Texas. He completed his education at the university of Virginia, and on his return practised law in Jefferson; on the outbreak of the civil war volunteered in the 1st Texas regiment, and after served in Hood's Texas brigade.

[33] Leading to the degrees of bachelor of arts, master of arts, bachelor of letters, bachelor of science, and bachelor of laws.

[34] From the reports sent in to the U. S. com. of education, 1884, it appears that the other colleges and universities in Texas at that time were as follows: St Mary's university, Galveston; Southwestern university, Georgetown; Baylor university, Independence; Mansfield, male and female college, Mansfield; Salado college, Salado; Austin college, Sherman; Trinity university, Tehuacana; Waco university, Waco; Marvin college, Waxahatchie; and Add Ran college, Thorp's spring. Five of these institutions admit young men only, the other five are open to both sexes. The collegiate institutions exclusively for young women are: Dallas Female college, Dallas; Ursuline academy, Galveston; the Ladies' Annex of Southwestern university, Georgetown; Baylor Female college, Independence; Woodlawn Female college, Paris; Nazareth academy, Victoria; and Waco Female college. All these are authorized by law to confer degrees. There are also the Austin Female institute, Bryan Female institute, and Soulé college. *U. S. Rept Com. Educ.*, 1883–4, 264–5.

dents was so rapid that the directors[35] in their report of January 1879, mention that in June 1878, there were 250 students, and that 416 applications for admission had been filed, all of whom could not be received on account of want of room. At the present time the income derived from the United States grant amounts to $14,280, the fund having increased by the accumulation of interest previous to the opening of the college. A separate branch of this institution has been established in Waller county, exclusively for the use of colored students. It is known as Prairie View school, and in March, 1882, was attended by 51 students.[36]

As the reader is aware, religious intolerance prevailed in Texas down to the time of her independence. Previous to this, a few attempts had been made by clergymen of the baptist denomination to organize congregations, but their efforts had met with violent opposition on the part of the authorities.[37] In 1837, however, a baptist church was organized at Washington, Z. N. Morrell being chosen pastor, and money was subscribed to build a house of worship.[38] The

[35] The management of the college was placed in the hands of a board of directors, composed of the gov. who was pres. of the board, the lieut-gov., the speaker of the house of representatives, and six other members. Later a board of trustees was formed, the pres. of which at the time of writing is George Pfeuffer, who has done much by his able administration to raise this institution to a high position, having secured for it ample endowments and necessary appliances. Pfeuffer was born in Bavaria in 1830, migrated to Texas in 1845, and settled at Corpus Christi, whence he removed 14 years later to New Braunfels. He was chairman of the senate com. on education.

[36] *U. S. Depart of Agric.*, 1871, 329; 1872, 384; 1875, 52; *H. Ex. Doc.*, cong. 42, sess. 2, vii., no. 327, 329; *Tex. Gov. Mess.*, 1876, 1879; *Tex. Rept Prairie View School*, 1882. By an act of the legislature, March 1881, it was provided that three students from each senatorial district should be appointed by the senators and representatives, and maintained and instructed free of charge. To state students a course of study is assigned; paying students make their own selection. In 1882 127 students were reported as taking the full course; in 1884 only 108 were reported. *H. Ex. Doc.*, cong. 47, sess. 1, vol. 12, 249–50, 610; *Rept Com. Educ.*, 1883–4, 265, 663.

[37] In 1826, Elder Joseph Bays preached at the house of Moses Shipman, on the Brazos, and afterward moved to San Antonio. In 1829, Elder Thomas Hanks also preached in Shipman's house. During the same year, the first Sunday-school in Texas was organized by T. J. Pilgrim. *Morrell's Flowers and Fruits*, 72–3.

[38] Morrell remarks that this was the first church ever organized in Texas on strictly gospel principles, having the ordinances and officers of ancient order. Of course he means a baptist church.

first protestant episcopal church was established in 1838 at Matagorda by Caleb S. Ives, who collected a congregation, established a school, and built a church. During the same year R. M. Chapman organized a parish in Houston.[39]

In early days, the Anglo-Texans cannot be said to have exhibited much sentimentalism on the score of religion; indeed, they may be considered as forming a somewhat godless community; but with the great influx of immigrants since the war of secession, Texas has proved a fair field for evangelical enterprise. Many denominations in 1888 were well represented in the state. According to the United States' census of 1880, the number of methodists was 157,000, of catholics 150,000, of baptists 125,000, and of presbyterians 13,000.

The first printing-press in Texas was put into operation at Nacogdoches, early in July 1819. It was brought into the country under the auspices of General Long, who established a provisional government and a supreme council, which issued a declaration proclaiming Texas an independent republic. The printing-office was placed under the management of Horatio Biglow, and was used for the publication of various laws enacted and proclamations issued by that ephemeral government.

Ten years afterward, the first regular newspaper made its appearance. It was published at San Felipe, and bore the title of *The Cotton Plant*, Godwin B. Cotten being editor and proprietor. This publication was

[39] The marriage ceremony in Texas had been little resorted to up to this time. Marriages before the independence were illegal unless performed by priests, who were offensive to the Anglo-Texans, and moreover, exacted a fee of $25. A custom grew into vogue of the parties simply signing a bond in the presence of witnesses, and then becoming husband and wife. By an act of congress, approved June 5, 1837, provision was made to legalize these marriages by bond by allowing parties so connected to take out a license in due form, and be married before an ordained minister of the gospel, a judge of a district court, a justice of a county court, or a justice of the peace, all of whom were so authorized. *Laws Repub. Tex.*, i. 233–5. In the autumn of the same year, Morrell performed the rite under the new law. *Flowers and Fruits*, 78.

issued under the above name during the four years ending 1832, when it was called *The Texas Republican.*

The second paper was the *Texas Gazette and Brazoria Advertiser*, which was published in Brazoria in 1830; in September 1832, it was merged in the *Constitutional Advocate and Texas Public Advertiser*, D. W. Anthony being editor and proprietor, on the death of whom by cholera, in July 1833, the paper ceased to be issued.

Next in order was the *Texas Republican*, published at Brazoria by F. C. Gray, of New York, December 17, 1834. It was printed on the old press introduced by Cotten, and in January 1835, was the only paper published in Texas. In August 1836, the issue was discontinued.[40]

The fourth paper is of historic interest, being the *Telegraph*, which was started by Gail and Thomas H. Borden and Joseph Baker at San Felipe in August 1835. When that town was abandoned by the government, in April 1836, on the approach of the Mexicans, the press was conveyed to Harrisburg, and while the twenty-second number was being printed, the forces of Santa Anna entered the town. Six copies only had been struck off when the printers, press, and type were seized by the Mexicans. The material was thrown into Bray's Bayou.[41] In the following August, the Bordens, having bought a new press and material, revived the *Telegraph* at Columbia, and subsequently moved to Houston, where the paper was published for many years under the title of the *Houston Telegraph.*[42]

After the independence, the number of newspapers increased rapidly,[43] the first daily paper ever published

[40] Gray's wife was a shrewd woman, and was charged with intriguing to effect the escape of Santa Anna. Her husband fell under suspicion, and he removed to California, where he became wealthy. Subsequently he returned to N. York, and committed suicide. *Tex. Edit. and Press Assoc.*, 1875, no. 2, 2.

[41] One at least of the six copies is still in existence. The paper was published in quarto form.

[42] In 1875 it was the oldest newspaper in the state. Letter of John Forbes.

[43] Mention must be made of the *Texas Planter*, published at Brazoria, in 1837, by T. Leger and A. P. Thompson; the *Civilian*, established by Hamilton Stuart in 1838 at Galveston; the *Austin City Gazette*, started in Oct. 1839 by

in Texas being the *Morning Star*, by Cruger and Moore of the *Telegraph*, from about 1840 to 1844. Previous to this time papers were issued weekly, bi-weekly, or tri-weekly, according to circumstances.[44]

According to the census of 1880, 280 newspapers and periodicals were published in Texas, which number, by 1888, was considerably increased. On September 10, 1873, the Texas Editorial and Press Association was organized, and formally incorporated April 5, 1875, under the act of the legislature approved April 23, 1874, entitled, "An act concerning private corporations."[45]

Samuel Whiting; and the *Texas Sentinel*, at Austin, in Jan. 1840, by Jacob W. Cruger and Geo. W. Bonnell. The first paper published at Galveston was the *Times*, edited and owned by Ferdinand Pinkard; and as early as 1835 a paper was established at Matagorda by Simon Mussina, and published for about three years. At San Luis, on San Luis island, west of Galveston, was published in 1840 the *Advocate*, which, during its brief existence, was the largest, handsomest, and ablest paper of its time in Texas. T. Robinson and M. Hopkins were the principal editors and managers. Both city and paper have long since passed out of existence. In 1839 the *Gazette* was started at Richmond on the Brazos, R. E. Handy, one of Gen. Houston's volunteer aids at San Jacinto, being editor.

[44] Kennedy, however, makes mention of a daily paper being published as early as June 1839. He fails to supply the names. *Tex.*, ii. 393.

[45] The association had power to buy, hold, and sell property; to maintain and defend judicial proceedings; to make contracts; to borrow money on the credit of the association, each stockholder being only liable to creditors for the unpaid portion of his stock; and to make proper and needful by-laws. Capital stock $10,000, to be divided into shares of $25, and capable of being increased to $50,000. *Tex. Ed. Press Assoc.*, charter, etc., nos 1, 3, and 4.

CHAPTER XXI.

INDUSTRIES, COMMERCE, AND RAILROADS.

1835–1888.

PHYSICAL DIVISIONS—A FOREST REGION—THE LEVEL PRAIRIES OF THE GULF COAST—CENTRAL HIGHLANDS—A VAST CATTLE REGION—THE PANHANDLE AND STAKED PLAIN—CLIMATE AND RAINFALL—COTTON PRODUCTION—THE CEREALS—PROGRESS OF AGRICULTURE—CATTLE STATISTICS—STOCK TRAILS TO THE NORTH—THE TEXAS FEVER—WIRE FENCE TROUBLES—SHEEP AND HORSES—MINERALS—MANUFACTURING AND MECHANICAL INDUSTRIES—FOREIGN COMMERCE—IMPORTS AND EXPORTS—THE POSTAL SERVICE—RAILROAD SYSTEMS—THE OLDEST LINES—HOUSTON THE NATURAL CENTRE—NARROW GAUGE LINES—LIBERALITY OF THE STATE GOVERNMENT—THE STRIKE AT FORT WORTH.

TEXAS, which comprises 226 counties, of which 176 were organized by January 1886, is naturally divided, in an agricultural point of view, into six grand divisions, differing in physical features and in the character of their soils, most of which, however, are of extraordinary fertility.[1]

The first of these divisions is known as east Texas, and includes the territory lying between the Sabine and Trinity rivers, and that portion of the state situated between the Sabine and Red rivers. The soil varies in character, but a distinctive class is that

[1] C. A. Westbrook, a prominent land owner and improver of stock, states that the Brazos bottom land is considered superior to any other in Texas. He was born in North Carolina, Jan. 1, 1838, and arrived in Texas in 1858. The estimates of the area of Texas, and the apportionments thereof may vary considerably. The *Texas Farm*, Jan. 15, 1886, gives the following figures: prairie, 110,423,160 acres; forest, 15,000,000; improved, 25,000,000; cultivated, 8,000,000; and covered with water 11,676,040; the unavailable land being 11,676,040 acres, making a total of 170,099,200 acres. By the *Texas Review*, Jan. 1886, 310–11, the following statistics are supplied: area 176,000,000 acres of which 111,179,785 are prairie lands; 46,302,500 timber land, the remainder covered with water. About 13,000,000 acres are improved, of which about 7,000,000 are in cultivation.

known as the red lands, which extend through several counties from that of Houston to the Sabine. East Texas is a great timbered region and produces a variety of forest trees, of which the principal are the pine, attaining an enormous growth, the white oak, white and red cypress, magnolia, hickory, pecan, and cedar. Many saw-mills are in operation, preparing the timber supplied from these forests, the number greatly increasing along the railroad lines. With regard to the magnolia, large tracts are found occupied exclusively by woods of this beautiful tree, the timber of which is very hard, fine-grained, and takes a polish like satin. In the cultivated districts of eastern Texas cotton and corn are the staple crops, though sugar is cultivated in some counties on the bottom lands of the Trinity. Fruit trees thrive especially on the red lands, the peaches produced thereon being famous for their flavor and size.

South Texas is that portion of the state which lies along the gulf of Mexico, extending from 20 to 100 miles into the interior. It is a vast prairie plain rising imperceptibly to the hilly regions of central Texas. The great prairies of which this division is composed are intersected by innumerable rivers and streams, and are for the most part treeless, timber being only found along the margins of the streams which are densely wooded, and in isolated groups of elms and live-oaks, called "islands" or "motts." The soil is unsurpassed in richness, being of alluvial origin, supplemented by sedimentary deposits of the receded waters of the gulf and decayed vegetable matter. The depth of the soil in the river valleys is very great; it has been examined to the depth of 30 feet, where it shows scarcely a perceptible difference from the surface soil. On the prairies the land is hardly so rich; the soil is of a black tenacious nature, while that of the valleys is of a chocolate color. The staple products are sugar-cane, cotton, and corn; vegetables of all kinds flourish exceedingly well; and many

tropical fruits, such as the orange, banana, and guava can be successively cultivated in certain localities.

Central Texas extends from the Trinity to the Colorado and the 99th degree west longitude, and from the southern alluvial plain to the 32d degree north latitude. Its physical features are of a hilly character, displaying gentle undulations as it rises from the southern plain, gradually developing into highlands and valleys which assume, as the traveller journeys inland, a somewhat mountainous aspect. The soils in this region are loams of various colors, black, brown, red, and chocolate, but all containing sand in such proportion as to render them easy of tillage. A large portion, probably one fourth, is timbered; and as this division is composed of hills and valleys, rolling prairies,[2] and forests, the landscape scenery is indescribably beautiful. Cotton, corn, oats, and other cereals are here produced, and the northern portion is a favorite wheat-growing region. Immense herds of swine are raised in the vicinities of the post-oak forests, and sheep, horses, and cattle by thousands thrive on the prairies and hill sides.

Situated on the north of this division and west of eastern Texas is north Texas, terminated on the west by the 99th meridian. It is a region composed of forests and prairies, the soil being a loam of three varieties, namely the dark sandy loam of the forests,

[2] Mention must be made of the 'hog-wallow' prairies, situated in the northern portion of this division. They are so called from the multitudes of small depressions in the surface. The soil in these prairies are as black as tar, and after a rainfall as sticky and cloggy. The following explanation of the origin of these wallows is given by S. B. Buckley in the *First Annual Report of the Geological and Agricultural Survey of Texas*, 1874, 112. 'The past summer was unusually dry in many parts of the state, and large cracks were made in all soils abounding in wallows. Big rains came, flooding many parts of the country. Afterwards in passing where the hog-wallows prevailed, we could see plainly how they were made. The holes made by the cracks were being filled in part by the washing in of loose earth, made loose on the edges of the cracks by the rain, and there not being sufficient earth to fill the very deep cracks depressions were made. These things were repeatedly seen by the members of our party, and left no doubt in the mind of any one as to the cause of wallows.' The soil successfully resists the severest drouths. If deeply plowed the crops will be green and flourishing when those around them are perishing for want of moisture.

the sticky black of the prairies, and the alluvial of the valleys. With the exception of the pine the forests contain varieties of timber similar to those of east Texas and the northern portion of central Texas. A new tree, however, here appears, the Osage orange, or *bois d' arc*, which attains a large size, and is in great demand for railroad ties on account of its ability to resist decay. The staple products are the same as those in north central Texas, especially wheat.[3]

Western Texas comprises that extensive territory lying south of the 32d parallel of latitude, and west of the 99th meridian to the Colorado, thence extending on the west and south of that river, to the gulf of Mexico. This is the most sparsely populated portion of the state. It contains every variety of soil and physical formation. Level and rolling prairies, deserts, dense forests, high table-lands, valleys, deep cañons, and rugged mountains, are found to succeed each other as the traveller moves from the sea-board

[3] N. M. Buford, of Dallas county, speaking of northern Texas, says that the adjustment of the difficulties which once existed in connection with the old Peter's colony marked an epoch in the history of northern Texas. By the terms of the contract between the colony company and the republic of Texas each family introduced was to receive 640 acres of land, and each single man 320 acres. The convention which framed the first constitution of the state of Texas in 1845, among other acts passed an ordinance declaring that the company had failed to carry out their contract, and was not entitled to any land. Thus both the company and many immigrants, who had been introduced, had no titles to their lands. The contract expired July 1, 1848, and settlers kept arriving till that date. Great excitement was the consequence of this doubtful possessory right to their farms and homes, and the trouble continued till 1852, when the legislature passed a law granting to each head of family 640 acres, and to each single man 320 acres, upon proper proof being produced, of settlement prior to July 1, 1848. The company was compensated for their services in introducing colonists by a grant of 700 sections of land located west of the settled portions of colony. Gov. Bell appointed Col Thomas W. Ward commissioner for the purpose of determining who were entitled to lands and issuing certificates. Since that time there has been little trouble in that portion of the state with regard to land titles. Buford was born in Tenn., June 24, 1824, migrated to Texas in 1846, and settled in Dallas county in 1848, having been admitted to the bar in 1845. He served as dist atty and dist judge of the 16th judicial dist, and entered the confederate army in 1861 as a private under Gen. Ben McCulloch, being made col of the 19th Texas cav. in April of the following year. In the spring of 1865, Buford resigned, and was elected to the state legislature in 1866, and later again filled several judicial offices. In Jan. 1854 he married Mary Knight, daughter of an old pioneer of Dallas county. *Notes on Peter's Col.*, MS.

on a curvilinear route trending northward. This vast region is the peculiar feeding ground of immense herds of cattle and flocks of sheep, especially along the Rio Grande. In the central and northern portions wheat and other cereals are cultivated, but farming is generally neglected, agriculture being a secondary consideration to the great industry of stock-raising. Of the region lying west of the Pecos river, much still remains to be known. It has hardly any population, except in the small towns on the Rio Grande, in El Paso county, and in the vicinity of the United States military posts. The same is the case with Tom Green and Crockett counties, two of the largest in the state, lying on the north-east of the Pecos river.[4]

The sixth and last natural division has acquired the name of the panhandle of Texas. It includes the territory lying north of the 34th parallel of north latitude, and west of the 100th meridian. The greater portion of this region consists of prairies, which are intersected by large tracts of broken country containing rugged hills and gorges. Sandy deserts, too, are met with, and the great Llano Estacado, or Staked Plain, extends along the south-western portion of it.[5] The prairies and staked plain are covered with a variety of rich grasses, among which may be mentioned the mesquite and gamma, blue-stem, bunch sedge, and buffalo grass. This portion of Texas is well adapted to grazing and stock-raising, the belief that it was generally deficient in water being exploded by later investigations. The panhandle is intersected by innumerable ravines, in most of which small streams and pools are found; in the prairies, also, depressions frequently occur, which, filled by the rains

[4] The four largest counties, are, Presidio, 12,955 sq. miles: Tom Green, 12,579; Pecos, 11,379, and Crockett, 10,029 sq. miles. *Spaight's Official Map*, 1882.

[5] This immense plain extends in a geological point of view, from the northern point of the state, southward, nearly to the northern boundaries of Kinney, Uralde, and Medina counties, west of San Antonio. *Tex. Geolog. Agric. Survey*, second annual report, 1876, 31.

hold water during the greater part of the year, even in seasons of severe drought. This impervious quality of the soil authorizes the assertion that artificial reservoirs can be successfully constructed, capable of supplying large herds of cattle and a considerable population with water all the year.[6]

The climate of Texas varies from moderately temperate to semi-tropical according to altitude and locality. At Fort Davis in Presidio county, 5,000 feet above the sea level, in January 1873 the thermometer was once 15° below zero, and, in the northern portion of the state, snow and ice and extremely cold weather are experienced in the winter; but the cold is never protracted, the weather during the larger portion of that season being mild and pleasant. In the central part snow and ice are seldom seen, and in the extreme south are of very rare occurrence. The rain-fall in Texas is as varied as the climate. Nevertheless the 100th meridian may be regarded as a dividing line between two regions subject to rain-falls widely differing in quantity and regularity. East of that line the rains are abundant and rarely fail; west of it they are irregular, droughts frequently occur, and the quantity is greatly diminished.[7]

[6] The panhandle is the 43d representative district, and sends to the legislature only one representative, who, in 1886 was J. W. Browning of Wheeler county. Browning came to Texas at the age of 16, and settled in Shackelford county in 1867, beginning life as a cowboy. He found time, however, to study law at intervals, and was admitted to the bar in 1876. Having served as justice of the peace and county attorney for Shackelford county, in 1881 he was appointed district attorney of the new judicial district then formed. He was elected to the lower house of the legislature in 1882. He was opposed to leasing the public lands to cattlemen. The above description of Texas is mainly derived from the reports of S. B. Buckley, already quoted; *Texas; Her Resources and Capabilities*, issued by the South-western Immigration company in 1881; and *Spaight's Resources, Soil, Clim. Tex.*, 1882.

[7] The average annual rainfall east of the 100th meridian may be set down at from about 30 inches, southern Texas exceeding, and central and northern Texas falling short of this average. The fall in the western portion of the state is much below this. With respect to this region, particulars are somewhat deficient; but some estimate of an average may be derived from the mean annual rainfall at the following places, as supplied in Spaight's official map of 1882. Eagle pass, Maverick county, 26.06 inches; El Paso, 13.12; Fort Davis, Presidio county, 22.45; Fort McKavett, Menard county, 22.71; and Fort Elliot, Wheeler county, 16.47. The rainfall is, however, increasing.

The cause of this difference lies in the fact that the prevailing winds along the coast and the eastern interior of Texas are southerly and south-easterly, and coming from the gulf, the atmosphere is heavily charged with vapor, whereas, the winds which sweep from the south and south-west, over western Texas, are robbed of their humidity in their passage over the cordilleras of Mexico, and the dry arid regions in the north of that republic.

Among the agricultural productions of Texas, cotton takes the lead, exceeding in value that of all others put together, excluding Indian corn. In 1879, the culture of this plant extended over 2,178,435 acres, which had increased in 1882 to 2,810,113 acres, yielding 674,427,120 pounds of cotton, and it is to be observed that the yield per acre is greater in Texas than in any other state.[8] The value of the yield for 1882 was nearly $60,000,000.

Of cereals Indian corn is more extensively cultivated than any other. In 1879, 2,468,587 acres were sown with this grain, yielding 29,065,172 bushels; in 1881 a crop of 33,377,000 bushels, worth $33,043,230 was produced on 2,803,700 acres; and in 1882 the number of bushels amounted to 63,416,300. Next in value follow oats, the productions of which in bushels for the same three years are represented respectively by the figures 4,893,359, 8,324,000, and 9,239,600, the last amount being estimated. The value of the crop of 1881 was $5,077,640.

Wheat was introduced into Texas by the early settlers merely as an experiment, in the endeavor to furnish flour for home consumption in those districts which were remote from a market. For many years it was cultivated only to very small extent,[9] and in

owing to the increasing area of land put under cultivation, and the increased growth of trees on the prairies.

[8] In the last mentioned year Texas, Louisiana, and Arkansas produced the greatest yield per acre, the respective figures, showing the proportion, being 240, 235, and 233. The figures for all other cotton growing states were below 200. *U. S. H. Ex. Doc.*, cong. 47, sess. 1., vol. 26, 673–4.

[9] According to the census of 1850, the total production of the state was only 41,729 bushels.

early days the belief prevailed that the soil of Texas was not adapted to its culture.[10] But these impressions yielded to more careful attention to the selection of suitable land. It was discovered that a great belt suitable for the most successful cultivation of wheat extends through northern and central Texas, and further developments have proved wheat-producing land is not limited to that region. In 1879 there were 373,612 acres sown with this cereal, yielding 2,567,760 bushels; in 1881, 3,339,000 bushels were produced on 263,200 acres, valued at $4,674,600; the estimate for 1882 being 4,173,700 bushels.[11]

Other grains, barley, rye, and buckwheat are only cultivated to a small extent.[12] Experiments have been made with rice, but have not been sufficiently encouraging to hold out the expectation that it will ever become a staple production. Tobacco culture receives little attention, as also that of the sugar-cane. Viticulture is assuming some importance, some kinds of grapes thriving well in most of the settled portions of the state. The wine produced, however, is mostly manufactured for home consumption, its exportation not being so profitable as other productions. The El Paso grape is one of the finest in the world, and the wine made from it has long been in great repute.

In 1860 the number of farms in Texas was 42,891 comprising 25,344,028 acres; in 1870 there were 61,125 farms with 18,396,523 acres; and in 1880, 174,184, with 36,292,219 acres, valued at $170,468,886. The relative percentages of unimproved land for these years are respectively represented by the figures, 89.5, 83.9, and 65.1. The size of these farms varied

[10] Parker writing in 1834–5 says: 'Wheat will not grow in this country. The stalk will run up rank, but the ear will not fill with plump kernels.' *Trip to the West and Tex.*, 141.

[11] The above statistics are taken from the report of the commissioner of agriculture for 1881–2, in *U. S. H. Ex. Doc.*, cong. 47, sess. 1, vol. 26, 577–676 passim.

[12] James A. Reddick gives the following average yield per acre of cereals in Texas: wheat, 20 bush.; oats and barley, 70 bush.; corn from 25 to 40 bush. Reddick was born at La Grange, Fayette county, and served through the confederate war.

from less than three acres—of which there were very few—to over 1,000 acres, the averages for the same years being respectively, 591,301, and 208 acres. In 1880 the total amount of improved land taken up as farms was 129,65,314 acres, and of unimproved 23,-641,905 acres, including 15,851,365 acres of woodland and forest. The number of persons engaged in all the occupations of agriculture during the same year was 359,317, of whom 330,125 were males. The number of male laborers is represented by the figures 119,295, and of female laborers by 24,517. The total number of farmers and planters was 200,404, of whom 4,562 were females, the balance of the number, 359,-317 being represented by stock-raisers, herders, gardeners, vine-growers and others.[13]

Agriculture in Texas occasionally suffers both from droughts and floods. Grasshoppers and locusts [14] have also assailed the crops, but their visits are of rare occurence. Where formerly the buffalo roamed in countless numbers,[15] immense herds of cattle now find their pasture grounds. Before the civil war almost the entire area of Texas was one vast feeding ground for cattle, horses and sheep, but during the last twenty years great changes have been effected by the influx of immigrants, who have taken up large quantities of lands, previously ranged over by stock, and

[13] *U. S. Census*, 1880, vol. 1. The following table, taken from the report of the commissioner of agriculture, represents the fluctuations in the average rates of monthly wages paid farm laborers, with and without board, in five years, during the period from 1866 to 1882.

	1866	1869	1875	1879	1882
Without board.....	$19.00	$18.83	$19.50	$18.27	$20.20
With board.....	12.72	13.21	13.37	11.49	14.03

[14] Grasshoppers made their first appearance in 1848, the swarms coming from the north with the October winds. They again appeared in 1856 and 1857, from the same quarter. *Tex. Alm.*, 1861, 138.

[15] The buffalo is now extinct in Texas, but as late as 1876 great numbers were to be found in the panhandle. W. C. Koogle, a large cattle-raiser was once engaged in hunting them in that region, and remarks that though 1,000,000 of them were needlessly killed, their destruction did more than any other thing to civilize the country, inasmuch as it compelled the savages, who mainly depended on them for food and covering, to seek other hunting grounds. Koogle was born in Maryland in 1849, and settled in the panhandle in 1876. *Remarks on Tex.*, MS.

converted them into cultivated farms. In this part of the state, comprising the greater portion of eastern, northern, central, and southern Texas, cattle are raised mostly as domestic animals. Consequently the great ranges are now to be found in the region west of the 98th meridian, and south of a line extending from San Antonio to Matagorda; in the southern portion of this extensive region probably more cattle are raised than in any other division of the state.[16] The panhandle, however, is admitted to be, without exception, the best stock country in Texas; it is comparatively a new country, but the staked plain is being gradually recognized to be as fine a grazing region as can be found in the United States.[17] During the last decade the increase in the number of stock has been enormous, as will be evident to the reader by referring to the table below, showing the statistic for the last six years only.[18]

[16] It was estimated in 1885 that there were fully 2,500,000 head of cattle in the south of Texas. *U. S. Bureau of Statistics*, Report, Cattle Business, May 16, 1885, 108.

[17] The panhandle was first partially stocked in 1876. In Nov. 1877 Charles Goodnight located a herd of 2,200 head of cattle. According to the reports there were 225, 857 head in July 1880. *U. S. H. Misc.*, cong. 47, sess. 2, vol. 13, pt 3, gen. fo. 972. G. W. Littlefield established a rancho in Oldham and Potter counties, and sold it in June 1881 to a Scotch syndicate for $253,000. *Littlefield's Remarks on Cat. and Agric.*, MS.

[18] 1880	1881	1882	1883	1884	1885
4,894,600	5,104,300	5,535,200	6,088,700	6,592,500	9,000,000

The above figures, with the exception of those for 1885, do not reach the actual numbers. This is explained by Geo. B. Loving, of Fort Worth, in his letter of Jan. 20, 1885, to the chief of the U. S. bureau of statistics. He states that according to the comptroller's report, the assessment rolls of the state showed that on Jan. 1, 1884, there were at least 7,000,000 head of cattle in the state, and that the actual number of cattle in Jan. 1885 was about 9,000,000; the discrepancy arises from the fact that but few, if any, of the largest ranchmen render the full number of cattle owned by them for taxation. *U. S. Bureau Stat., ut sup.*, 102; *Wood Bros., Live Stock Movement.* It is, indeed, impossible to give any other than approximate numbers, as statistical tables compiled by different individuals show extraordinary differences. For instance the tables supplied in *Proceedings of the First National Convention of Cattle Growers of the United States, held in St. Louis, Mo.*, Nov. 1884, pp. 12–3, give 5,060,715 as the number for 1883, and 4,894,692 for 1884; and these figures are supposed to include all cattle on farms, ranchos, and ranges. One of the largest cattle owners in Texas is Col. C. C. Slaughter, of Dallas county. In Howard, Borden, Dawson, and Martin counties he owns 220,000 acres of land in fee-simple, and has 340,000 acres under lease. In 1882 he refused $1,000,000 for his cattle interests alone. He also owns half interest

In a country so productive of increase, cattle-dealing has become a great business, and yearly hundreds of thousands of animals are driven northward to ranges in Nebraska, Dakota, Colorado, Wyoming, Montana, and Idaho, where cattle, as experience has proved, increase more rapidly in weight than if raised for market on the Texas ranges. This business has grown up chiefly during the last fifteen years, the movement varying year by year.[19] Latterly, the great markets for driven cattle have been Dodge City, Kansas, and Ogalalla, Nebraska, which are reached by regular cattle trails, the drovers having been crowded away, farther and farther west, from the old main route by the rapid settlement of Kansas. The railroads, also, now transport stock in great numbers. It is considered that the establishment by the United States' congress of a great national cattle trail leading northward would conduce greatly to the cattle-raising interests in Texas. The fact that the main line, known as the Fort Griffin and Dodge City trail, is

in a rancho of 100,000 acres in the panhandle. He was born in Sabine county, Feb. 9, 1837, was a captain of rangers, and in 1885 was elected president of the Cattle Association of West Texas. *Slaughter's Notes on Tex.*, MS. Col. W. Crawford Young is another man of enterprise. He was born in Kentucky, Dec. 9, 1820; served in the confederate army, and in 1879 settled in Garza county, Texas. In 1883 he formed the Llano Cattle co., selling 80,000 acres of land. He owns 15,000 head of cattle and believes that the Hereford breed is the best adapted to the climate of that section of the country. *Young's Statements*, MS. L. B. Collins, who went to Texas in 1865, considers that the best class of stock for the country is the Durham; though he says the Hereford cattle are excellent to cross with the native Texas animal. The Burmuda stock is also good for crossing. L. B. Collins was born in Louisiana, April 22, 1848. *Remarks on Stock*, MS. N. C. Baldwin remarks that with care, imported stock do very well in Texas, and little loss need be feared. *Baldwin's Remarks on Stock*, MS. John S. Andrews, of Dallas county, is a prominent stock-raiser, and has been engaged in that business along the western border for many years. *Biog. Sketch*, MS.

[19] *U. S. Bureau of Statistics, ut sup.*, 23–4. John B. Slaughter, brother of C. C. Slaughter, has been engaged largely in this business, which is very profitable. His first venture was made in 1873, when he paid $7 for yearlings and $10 and $12 respectively for animals two years and three years old. He drove them to Kansas, and after wintering them, sold the beeves at the rate of $20 a head; the yearlings he kept till the spring of 1875, when they realized $32 a head. *Slaughter, Cattle-dealing*, MS. John Sparks was the first cattle-dealer who imported the long-horned Texas steers into the state of Virginia. He was born in Mississippi, Aug. 30, 1843, and went with his father's family to Texas in 1857. He realized a considerable fortune in the business, and has an interest in large cattle ranchos in Nevada and Idaho. *Sparks' Notes*, MS.

being gradually forced westward, has led to the apprehension that eventually no way will be open through the country where a sufficient supply of water at necessary intervals can be found. On January 17, 1885, James F. Miller, of Texas, introduced in the house of representatives a bill to establish a quarantined live-stock trail through Indian Territory to the southwest corner of Kansas, thence over the unappropriated public lands, on the most practicable route, to the north boundary of the United States.[20]

That the reader may understand the requirement that Texas cattle should be made subject to quarantine, it is necessary to explain that an extraordinary and destructive bovine disease is generated in that state, known as the Texas fever; also called splenic fever and Spanish fever. It is endemic rather than epidemic, the cause of it being yet unknown. The lowlands on the gulf of Mexico are admitted to be the locality of its origin, and the infected area is believed to embrace more than half of the state.[21] It is a remarkable fact that the cattle of southern Texas do not themselves suffer from this disease, but communicate it when they are driven north to the cattle of more northern latitudes, the infection being the result of the latter walking over or feeding upon the trails along which the former have passed.[22]

[20] It was proposed that this trail should be of any practicable width not exceeding six miles, and the quarantined grazing-grounds should not exceed 12 miles square at any one place. *U. S. Bureau of Statistics, ut sup.*, 27, 160. The approximate number of cattle driven north from Texas during the period from 1866 to 1884 inclusive, is 5,201,132, the greatest 'drive' being in 1871, and numbering 600,000. The 'drive' of 1884 was 300,000, which, at $17 a head, amounted to $5,100,000.

[21] Its northern limit is supposed to be bounded by an irregular line extending in a southwesterly direction from the northeast corner of Grayson county to long. 100°; thence westerly to El Paso county; thence northwest to the border of N. Mexico.

[22] The generally accepted theory is that the disease exists in a latent state in the cattle of southern Texas, under conditions of food and climate which prevent impairment of the health of the animal; during the migration northward the latent cause of disease passes off in fecal matter, and is inhaled or taken into the stomachs of the northern animals when they feed on ground passed over by Texas cattle. To animals thus infected the disease is fatal. Experience proves that it is never communicated north of South Platte river The committee of the Wyoming Stock-growers' Association, appointed to

During late years, syndicates of cattle-raisers have been formed, which have acquired large tracts of land in western Texas. These extensive properties have been surrounded by wire fences, which have occasioned much trouble between agricultural settlers and the cattlemen. When farmers found their roads to the nearest towns closed, they proceeded to open them by cutting the fence wires. This action was resisted, and not a few lives were lost in the quarrels which ensued. The right of road question became so serious from the determination of the farmers to insist upon their really just demand for convenient lines of transit to and from their farms, that Governor Ireland convened a special session of the legislature in December 1883, to legislate on the matter.

As the reader is aware, cattle raiding on the Rio Grande frontier has been carried on for many years. These depredations, however, are diminishing yearly in magnitude, owing, in a measure, to the organization of cattlemen's associations for the mutual protection and benefit of stock owners.

In sheep raising Texas takes the lead of all other states of the union in almost as marked a degree as in cattle breeding.[23] The number of horses also is in excess of that of any other state except Illinois. The subjoined table gives the comparative figures for

investigate the subject, reported at the annual meeting, April 1885, that cattle brought from southern Texas are only dangerous for about 60 days from the time of leaving their native ranges. The cause of the disease is eliminated while on the trail. On March 12, 1885, a quarantine law was passed by the state of Kansas, prohibiting cattle being driven into the state from south of the 37th parallel of north latitude during the months from March 1st to Dec. 1st; a similar law was passed March 20, 1885, by the state of Colorado, assigning the 36th parallel as the quarantine line, the prohibition period being from March 1st to Nov. 1st. In New Mexico, Nebraska, and Wyoming quarantine laws are in force. They are less rigid, however, and their application is left to the decision of executive officers, whose duty it is to determine when quarantine regulations shall be enforced and when discontinued. *Id.*, 31–5, 134–7.

[23] C. H. Rogers of Nueces county remarks that, since the country has been fenced, there is a disposition on the part of sheepmen to change their business to that of cattle and horse breeding; not that the sheep business will not pay, but that they believe cattle and horses will pay better on inclosed ranges than sheep. *Remarks on Stock Raising*, MS.

the four leading states in each of these industries for five years.[24]

In 1858 the legislature passed a law authorizing a geological and agricultural survey of the state, and the appointment of a state geologist. B. F. Shurnard commenced work in 1859, but only accomplished superficial and partial reconnoisances of small portions of the state, and was superseded in the following year by Francis Moore. The civil war and the subsequent confusion which prevailed in Texas interrupted operations for many years, and it is only during the last decade that information of value has been obtained relative to the mineral resources of the state.

It has been ascertained that immense coal deposits exist in rich veins found in a wide belt extending from Clay and Montague counties in the north to Webb county in the south. Little enterprise, however, has hitherto been displayed in the exploitation of this mineral wealth, and the principal mines opened are chiefly worked by the railroad companies for locomotive fuel.[25]

[24] SHEEP.

	1880	1881	1882	1883	1884
Texas	5,940,200	6,850,000	7,877,500	7,956,200	8,035,700
California	5,727,300	6,265,000	5,907,600	6,203,000	6,352,300
N. Mexico	2,990,700	3,950,100	3,960,000	4,435,200	4,479,500
Ohio	4,902,400	4,951,500	5,050,500	5,000,000	4,900,000

HORSES.

Texas	896,000	947,500	1,023,500	1,038,100	1,095,100
Illinois	1,125,300	1,134,900	1,141,100	1,151,300	1,159,700
Missouri	859,700	861,300	871,800	896,600	948,900
Iowa	836,700	842,300	883,900	939,100	990,700

Numerical exactness in statistics of this kind is impossible, but the above figures are as approximately correct as can be attained. The quantity of wool produced in Texas in 1880 was 6,928,019 lbs at the spring clip; in 1883 the clip was estimated at 31,000,000 lbs. *U. S. Bureau of Stat.*, no. 4, 1883–4, 545–6; *Wood Bros Live Stock Movement.* Attention is being paid to improvement in the breed of horses. J. Johnson had a fine horse called Blue Bird which beat, Nov. 16, 1885, Lela B., the winner of a race for $30,000 at Sacramento, Cal., in the previous September. *Johnson, Race-horses in Tex.*, MS. The number of hogs in Texas increased from 1,900,000 in 1880 to 2,153,000 in 1884.

[25] In 1885 the principal mines worked were those in Palo Pinto, Parker, Webb, Maveric, and Presidio counties, and in the Eagle mountains in the extreme west of Texas. It is estimated that the coal fields in Texas extend over an area of 30,000 sq. miles. *Rept Sec. Int.*, cong. 41, sess. 3, 195; *Land and Thompson's Galveston*, 39–42.

The iron vein enters Texas from the northeast in Bowie county, and the ore is found in abundance in the eastern counties, and in the mountainous districts of the upper Colorado and its tributaries. In Llano county there is a massive hill of iron ore, 30 feet high, 800 long, and 500 wide. The ore has been tested and found to yield 70 per cent of pure iron.[26] As yet the development of this mining industry, like that of coal, is only in its infancy. It does not appear that any enterprise in iron smelting was engaged in before the civil war. During that period three small furnaces were erected.

Another metal which Texas yields in great abundance is copper, the belt of which extends from Wichita county southward, with some interruptions, and a westerly bend to Pecos and Presidio counties. A company was chartered in 1885 to work copper mines in Archer county, which may be considered as the first serious step taken toward the establishment of this industry in the state. Silver-bearing ores, principally argentiferous galena, crop out in Llano county and can be traced to San Saba and Burnett counties where old Spanish mines are still to be seen, as also along the Pecos river. Lead is found in El Paso, Presidio, Gonzales, and Gillespie counties.

Valuable deposits of salt are found in Gregg, Hidalgo, Van Zandt, El Paso and many other counties. Along the Rio Grande it is found in inexhaustible quantities, the salt lakes of El Paso being famous. Equally so is the Sal del Rey in Hidalgo, which is a large body of salt water about one mile in diameter and nearly circular in shape. From this lake the people of Texas was supplied with salt during the civil war. Building stone of every description exists throughout the state, and Burnett, Llano, and San Saba counties contain beautiful varieties of marble of

[26] Geo. T. Todd narrates that in early days wagoners on the roads leading into Jefferson used flat iron rocks on which to bake their bread, and beat the same into horse-shoes without the trouble of smelting the ore. *Jefferson Iron News*, Feb. 10, 1886.

different colors, white, black, flesh color, and clouded.

The manufacturing and mechanical industries are but slightly developed in Texas. It is essentially an agricultural country, and the various industries engaged in under the above two general heads are not pursued to an extent adequate to meet the home demand. According to the United States census of 1880 the total value of all such products for that year was only $20,719,928, employing a capital of $9,245,561 and 12,159 hands, 11,645 being males above 16 years of age. The wages paid during the same period amounted to $3,343,087, and the value of the materials used to $12,956,269, showing net proceeds to the amount of $4,420,572. The value of similar products in California for the same year was $116,218,933. The subjoined table exhibits the principal industries, namely all those on which a capital of over $100,000 was employed.[27] In 1870 the value of the corresponding products was $11,517,302, which compared with the figures for 1880 exhibits an increase of $9,202,626 for the latter year.

The foreign commerce of Texas, previous to her re-

[27]

1880	Capital.	No. of workmen.	Wages.	Value of Materials.	Value of Products
Blacksmithing	$ 299,645	707	$ 180,502	$ 247,464	$ 727,079
Boot and shoes	100,152	235	87,223	140,043	372,810
Brick and tile	183,530	1,185	204,499	105,074	448,418
Carriages and wagons	150,700	211	92,014	139,000	301,800
Flour and grist mills	3,082,952	2,609	368,683	6,371,606	7,617,177
Foundry and mach. shop	365,350	360	149,212	228,151	532,778
Ice, artificial	342,500	86	46,855	45,485	176,000
Lumber, planed	143,000	191	73,775	295,640	456,600
Lumber, sawed	1,660,952	3,186	732,914	2,096,775	3,673,449
Oil, cotton-seed and cake	202,000	158	36,272	192,441	276,450
Printing and publishing	447,900	414	232,924	207,438	605,000
Saddlery and harness	286,925	270	110,576	325,579	587,871
Sash, doors and blinds	106,400	82	49,800	303,200	416,500
Slaughter'g & meat pack'g	202,200	132	49,800	280,220	486,400
Tin, copper, and iron ware	236,730	217	105,174	259,300	491,420
Totals,	$7,810,936	$10,043	$2,520,223	$11,240,416	$17,169,752

H. Misc. Doc., cong. 47, sess. 2, ii. 189–90, gen. fol.

admission into the union, was very limited, the imports rarely exceeding half a million dollars, and the exports being proportionately small.[28] With the year 1870, however, foreign trade assumed a vigor which marked the beginning of an era of prosperity, and a rapidly increasing development. In that year the exports of domestic merchandise from Galveston amounted to $14,869,601, and in 1881 to $26,685,248, the increase being attained through spasmodic fluctuations.[29] The total amount of domestic merchandise exported from all the ports of Texas for the year ending June 30, 1883, was $33,400,808, over $29,000,000 representing cotton. Nearly nine tenths of the commerce with foreign countries is conducted through the port of Galveston, as will be seen by reference to the subjoined table, showing the commercial statistics for the year ending June 30, 1883.[30]

[28] The value of the imports, including coin and bullion, at Galveston in 1856 was $92,259; in 1860, $533,153; in 1866, $111,357; 1868, $579,966; and 1869, $266,517. The values of the exports from the same port for the same years were respectively $1,252,925, $5,772,158, $1,288,926, $5,829,110, and $9,616,153. *U. S. H. Ex. Doc.*, cong. 47, sess. 2, xviii., p. lix.–lx.

[29] The following table indicates the fluctuations:

	Imports.	Exports.
1870	$ 509,231	$14,869,601
1871	1,255,003	13,764,384
1872	1,741,000	12,211,774
1873	2,426,626	17,629,633
1874	1,432,255	19,135,951
1875	1,218,034	15,876,632
1876	1,335,605	15,245,041
1877	1,411,594	15,160,394
1878	1,081,201	12,177,540
1879	871,938	16,393,877
1880	1,107,241	16,712,861
1881	3,106,669	26,685,248
1882	3,022,274	15,515,094

Id.

[30]

	Imports.	Exports.
Galveston	$1,511,712	$29,627,898
Brazos de Santiago	801,447	1,102,861
Saluria	100,084	871,068
Corpus Christi	711,787	1,798,981
Total	$3,125,030	$33,400,808

U. S. H. Ex. Doc., cong. 48, sess. 1, xvii. 134–5, 276–7. The growth of mer-

As the increase of the tonnage of vessels employed in the carrying trade is necessarily proportionate to the increase of commerce, some information with regard to the former may be interesting. In 1856, when the exports from Galveston amounted in value to $1,252,925, the tonnage of vessels entered at that port was 10,846 tons; in 1860 it was 32,263; in 1870, 31,555 tons; in 1880, 117,972 tons; and in 1883, 153,614 tons. At the date of June 30, 1883, there were documented in the state of Texas 274 vessels, with an aggregate tonnage of 10,672 tons, of which 36 were steamers, aggregating 3,308 tons. There is but little ship-building in Texas. During the year ending June 30, 1883, nine small sailing vessels were launched, aggregating only 96 tons, and two steamers aggregating nearly 65 tons. Internal transportation is carried on by river steamers of light draft,[31] and along the systems of railroads that have been established. During late years measures have been adopted for the improvement of rivers and harbors. Considerable sums of money are being expended in projects to deepen the channels over the bars at the entrances of the bays and at the mouths of the principal rivers.[32]

In early days the high-roads leading through Texas were, as Kennedy remarks, "of nature's construction,"

cantile operations in individual cities is illustrated by the success of Sanger Bros, wholesale merchants and dealers. This firm does business in Waco to the amount of nearly $500,000 worth of goods annually, and in Dallas to nearly three times that amount. When they first opened their house in Waco, they employed only two clerks; now they employ 65 clerks in the same establishment. This result was attained in less than a dozen years. *Sanger's Statement*, MS.

[31] In 1850–1, a canal was constructed by the Galveston and Brazos Navigation Co., connecting Galveston and Brazos river, at a cost of $340,000. The cutting is 8 miles in length, 50 feet wide at the surface, and 3½ feet deep; the remainder of this transportation line is 30 miles in length, and passes through the slack waters of the Oyster Bay and West Bay. *U. S. H. Misc.*, cong. 47, sess. 2, xiii. 754–5, gen. fol.

[32] Improvements are being effected at Sabine pass and Blue Buck bar, on the Sabine, Neches, and Trinity rivers; at the entrance to Galveston harbor, and on a ship-channel in the bay; on Buffalo bayou; the channel over the bar at the mouth of the Brazos; at Pass Cavallo inlet to Matagorda bay; Aransas pass and bay, up to Rockport and Corpus Christi; on the harbor at Brazos Santiago; and in the protection of the river bank at Fort Brown on the Rio Grande. *U. S. H. Ex. Doc.*, cong. 48, sess. 1, vol. iv. 1047–97.

and in the dry season no difficulty was encountered, except at the rivers, in journeying from the Rio Grande to the Sabine in carriages;[33] during the rainy months travelling was very toilsome and expensive. The postal service along such routes was irregular and deficient, but as the country became more settled, a greater degree of efficiency was attained. In 1857, an overland mail route was established between San Antonio and San Diego, California,[34] under a contract entered into with the government by James E. Birch. Referring to the postmaster-general's report of December 4, 1858, it will be found that the annual cost of mail transportation, including route and local agents and mail messengers, for the years ending June 30, 1857 and 1858, was respectively $232,138 and $359,300, the estimate for the year ending June 30, 1859, being $604,363. This great increase is due to a large number of new service routes being established. From this time the service has developed in proportion to the increasing requirements of the state. According to the postmaster-general's report of November 19, 1883, it appears that in the years ending June 30, 1882 and 1883, the number of post-offices in Texas was respectively 1,438 and 1,448. The aggregate length of the mail routes for the latter year was

[33] Almonte says: 'Desde México hasta los Estados-Unidos se puede viajar en carruage, á lo menos seis meses del año, principiando en mayo ó junio.' *Not. Estad. Tej.*, 44. See also *Var. Impresos*, 2, no. vi., 44–5, 65–88, table no. 7, 96.

[34] On the more northern overland mail route to California, Adam Rankin Johnson, in 1855, bought the Staked Plains station, the most dangerous point on the line. He also acquired other stations, but was compelled to give them up on account of the difficulty he experienced in obtaining laboring men, owing to the hostility of the Indians. Johnson was born in Kentucky Feb. 8, 1834, and settled in Burnett county, Texas, in 1844. He served with distinction in the confederate army, doing most important scouting service. He organized the Breckenridge guards, and was made a general of brigade by Morgan. At the engagement at Grabbs' cross-roads, near Cumberland, Johnson received a shot in the right eye, the ball passing in rear of the left eye, and through the left temple. Both organs were instantly destroyed. Being taken prisoner, he was exchanged March 26, 1865, and returned in that year to Texas, where he took up his abode on a small rancho in Leland co. *Starling's Biog. of A. R. Johnson*, MS. Particulars of the two great overland mail routes will be found in *U. S. Sen. Doc.*, cong. 35, sess. 2, iv. 739–52. See also *Tex. Alm.*, 1859, 139–50.

18,871 miles, the mails being transported over 5,371 miles by rail, and 492 miles by steamboat, the balance of 13,008 miles representing routes designated as "star routes," irregular proceedings in contracts for which have been repeatedly exposed.[35] The total annual transportation is represented by distances aggregating 8,948,035 miles, at a cost of $718,516.[36]

Railroad systems have been developed in an extraordinary degree in Texas during the last ten years. In 1870, there were less than 300 miles in operation, and in 1876 only about 1,600 miles, while in 1885 over 7,000 miles had been completed. During the republic numerous charters for railroads were granted, but none were acted upon, and it was not until 1852 that the first road was commenced. A brief account of the oldest line in the state will not be uninteresting.

In the above-named year, a preliminary survey was made, and some work done, on what was then called the Buffalo Bayou, Brazos, and Colorado road, starting from Harrisburg with a westerly direction, and in the same year the whistle of the first locomotive on Texan soil was heard at Harrisburg, being also the second put in motion west of the Mississippi. The company was organized June 1, 1850, at Boston, Massachusetts, by General Sidney Sherman, who may be regarded as the father of railroad systems in Texas. The work progressed slowly, and the Colorado was not reached till 1859, when the line was open to Eagle lake, 65 miles from its initial point. In 1866, it had been extended to Columbus, the river being bridged at Alleyton. By an act of the legislature the charter was changed in 1870, and San Antonio made the objective point. Since that time it has been called the Galveston, Harrisburg, and San Antonio railway, perhaps better known as the "Sunset route." On January 15, 1877, the road reached San Antonio, the citizens of Béjar county having voted,

[35] This remark does not apply individually to the Texas mail service, but to that of the U. S. generally.

[36] *U. S. H. Ex. Doc.*, cong. 48, sess. 1, ix. 108, 133.

January 1876, $300,000 in county bonds to secure the speedy completion of the line. In the same month the passenger terminus was changed from Harrisburg to Houston by a line from Pierce junction. Following the setting sun, it has since been extended to El Paso, where it connects with the Southern Pacific, into which system it has been incorporated, though it is still under the control of its own managers. At that point it also connects with the Mexican Central. The length of the main line is 848 miles, and no railroad in Texas has had more influence in the settlement and development of the country. The branches connected with it are the La Grange from Columbus, 31 miles, the Gonzales from Harwood, 12 miles, and the branch to Eagle Pass, on the Rio Grande, where connection is made with the Mexican International. At Spofford junction, a few miles from San Antonio, the main line is crossed by the International and Great Northern, which connects at Laredo with the Mexican National. Thus it will be seen that access is given to all points in the Mexican republic that have railroad communications.[37]

The next railroad commenced in Texas was the Houston and Texas Central. The original charter was granted in 1848, by which the company was incorporated under the title of the Galveston and Red River Railroad company, the object being to construct a line from Galveston to the northern boundary of the state. Work was begun in 1853 at Houston, instead of Galveston, by the original incorporator, Ebenezer Allen, his action being confirmed by the legislature, which, on February 7th of that year, granted the charter for the road under consideration; thenceforth the line assumed its present name. The rivalry existing between Galveston and Houston was arranged by a compromise, under which the two cities

[37] *Thrall*, 618–19, 766–7; *Tex. Alm.*, 1859, 219–20; 1860, 202; 1861, 228; 1867, 185–6; 1868, 122–6; *Burke's Tex. Alm.*, 1882, 216; 1883, 72; *Land and Thompson's Galveston*, 49–50; *Tex. Indust. Houston*, 1884–5, 33.

were connected by the Galveston, Houston, and Henderson road, which was begun at Virginia point, and completed in 1865, a junction being effected with the Houston and Texas Central. In 1859, a bridge was constructed across the bay by the city of Galveston. The main line was slow in progress, having only been advanced about 80 miles when the civil war broke out. Then an interruption occurred, and it was not until March 1873 that it reached Denison city, Grayson county, where a junction was formed with the Missouri, Kansas, and Texas road, thus opening communication by rail with St Louis. The distance from Houston to Denison is 341 miles. Branch lines are from Hempstead to Austin, 115 miles; from Brenham through Waco to Albany, Shackelford county, 231 miles, which northwestern division is to be extended through the panhandle to New Mexico and Colorado; and the northeastern division, already constructed from Garrett, Ellis county, to Roberts, 51 miles, and intended to reach the southern contiguous corners of Indian Territory and Arkansas. There is also a 12-mile branch from Garrett to Waxahatchie.

Houston is the natural railroad centre, no less than ten different lines converging to it from as many points in the four quarters of the compass. Three of these have been already mentioned; the remaining roads are the International and Great Northern, opened to Longview, Gregg county, distant 232 miles from Houston. From Palestine, Anderson county, extends the Laredo branch to the Rio Grande, 415 miles. This railroad is the result of the consolidation of the International, chartered August 17, 1870, and the Houston and Great Northern, chartered October 22, 1866. Houston Tap and Brazoria Railway was completed in 1860, purchased in 1871 by the Houston and Great Northern company, and now forms part of the International and Great Northern system. Its direction is due south to Columbia, Brazoria county. The charter was granted September 1,

1856, and the line completed about August 1859, its length being 50 miles. The Texas and New Orleans railway extends from Houston to Orange city, near the Sabine river. It is 106 miles in length and was opened in 1861. It now forms part of the Southern Pacific system. Connection is formed by it with Morgan's Louisiana and Texas railroad, which completes communication from San Francisco, California, to New Orleans.

In May 1873, the Gulf, Colorado, and Santa Fé line was chartered. This was a Galveston enterprise, the intention being that the road should start from that city, and passing up the valley of the Colorado be carried on to Santa Fé, New Mexico. The original plan, however, was changed, the line turning up the valley of the Brazos to Cameron, thence to Temple junction, Lampasas, and Coleman, a total distance of 351 miles already constructed. This is the main line known as the Santa Fé division, and when completed will pass through the panhandle to that city. The Fort Worth division, already completed from Temple junction to that point, is intended to pass through Montague county, and be extended through Indian Territory to Fort Dodge, Kansas. Construction was commenced at Virginia Point in May 1875, and the road opened to traffic as far as Richmond in 1878. Branch lines have been built from Alvin to Houston, 24 miles; from Cleburne to Dallas, 54 miles; and from Somerville to Montgomery, 53 miles in length.

The Houston, East and West Texas narrow gauge railway extends northward from Houston, and is already constructed beyond Nacogdoches. This road was chartered in March 1875, and was intended to reach Red river in Bowie county, connecting with the entire systems of railroads in eastern Texas and southwestern Arkansas. The western division, as projected, was to extend from Houston to Victoria, Goliad, and Beeville, and thence to Laredo on the

Rio Grande, having a branch to Corpus Christi bay. This system was an enterprise of the citizens of Houston, its promoter being Paul Bremond of that city. Another narrow gauge railway is the Texas Western, the objective point being Presidio del Norte, on the Rio Grande, 900 miles due west of Houston. Construction on this line, to any great extent, was for some time delayed Connection, however, was made at Seaby, 53 miles from Houston, with the Gulf, Colorado, and Santa Fé road. The Texas-Mexican line is now incorporated with the Mexican National. It was organized in 1875 under the appellation of the Corpus Christi, San Diego, and Rio Grande railway. The branch line from Houston will connect with the main trunk line at San Diego, Duval county, Galveston will also be connected by another main branch. The division extending from Corpus Christi to Laredo is already completed, and construction is progressing rapidly on all other divisions. This, also, is a narrow gauge line.

Besides these systems which all centre in Houston, mention must be made of the Fort Worth and Denver City railway, crossing the panhandle from its south-eastern to its north-western corner. Work is progressing rapidly on this line, about 400 miles being already completed. Fort Worth,[38] in fact, is an-

[38] The growth of this city, which was incorporated in 1873, was extraordinary. B. B. Paddock states that when the first railroad reached the town in 1876 there were not more than 1,600 inhabitants; it has, in 1888, a population of over 30,000. Within the corporate limits there are over 200 artesian wells. Paddock went to Texas in 1872, and is connected with the Fort Worth and Rio Grande R. R., the charter for which was granted in July, 1885. *Notes on Fort Worth*, MS. The first mayor was William P. Burts, born in Tennessee, Dec. 7, 1827. He went to Fort Worth in 1858 and was the first practitioner there. In 1874 Burts resigned, and Giles H. Day was elected the second mayor, serving in that capacity till 1878, when he was succeeded by R. E. Beckham, followed by John T. Brown. In 1882 John Peter Smith, an able officer, was elected, and reëlected in 1884. Smith was born in Kentucky, Sept. 16, 1831, and settled in Fort Worth in 1853; at that time there were not more than half a dozen families in the place. Smith taught in the first school established in Fort Worth. *Burts' Biog.*, MS.; *Day's Biog.*, MS.; *Smith's Fort Worth*, MS.; *L. L. Short's Biog.*, MS.; *The Texas Special*, Oct. 20, 1885. A. P. Ryan of Fort Worth, gives some account of the fine agricultural capacities of that portion of the country, and of the thriving condition of that city. He was born in Wayne county, Kentucky, in 1837;

other great railroad centre, nearly a dozen lines, completed or in course of construction concentrating in that city.

Many other lines are also projected to connect with the above-named system, on which more or less work was done, while the construction of others will be undertaken according to the transportation requirements of this progressive state. In the above brief account of the railroads in Texas I have confined myself to the main systems in operation within her boundaries; but the reader will apprehend that numerous local lines connect communication between them and most of the principal towns, and that the whole net-work is connected with the great transcontinental and main roads of the United States, and also with the Mexican systems—of still greater magnitude if, in some future time, they be connected with stupendous trunk lines reaching into South America,—a consummation already conceived by projectors.

Railroad enterprises, from the first initiative steps taken to introduce into Texas this means of transportation, have met with most liberal assistance from the state government. Charters have been granted on easy terms, enormous sums of money—principally from the school and university fund—have been loaned, and a large amount of public funds has been donated to such companies as have fulfilled their contracts, extensions of time having been granted whenever the petitions for such were reasonable. It is to this liberal action of the state that Texas is indebted in a great measure for her late rapid development and increase of population. Texas did not escape being affected by the trouble caused by the serious strike of railroad employés in the spring of 1886. On April 3d of that year a train which left Fort Worth on its way south was fired into at the junction of the Fort Worth and New Orleans Railroad, two miles

went to Texas in 1858; and served in the confederate army during the whole of the civil war. *Observations*, MS.

from the city. Deputy Sheriffs Townsend and Sneed, and Police Officer Fulford were severely wounded, the former dying the next day. Great excitement prevailed throughout the state, and military companies were rapidly hurried to Fort Worth. The energetic measures adopted by the governor and the authorities of many principal towns fortunately prevented further bloodshed.[39]

[39] *The Dallas Morning News*, Ap. 4 and 5, 1886. The strike commenced in the work-shops of the Texas and Pacific R. R., at Marshall, Harrison county, owing to the discharge of C. A. Hall, a foreman in the car-shop there. Hall was a prominent officer in the Knights of Labor, who regarded his dismissal as an attack upon their order. The strike extended to the Missouri Pacific system. The authorities that have been consulted on the industries of Texas, are the following.

Stephen M. Blount was in 1888 the only living signer of the declaration of the independence of Texas. He was born in Georgia, Feb. 13, 1808, and moved to Texas in July 1835, settling at San Augustine. In 1836 he was elected a member of the convention that declared the independence and nominated General Houston for the position of commander-in-chief of the Texan forces. Blount was a close personal friend of Houston, whom he regards as having been a grand man. In 1837 Blount was elected clerk of San Augustine county, holding that position for four years. His whole life has been one of activity, having served, previous to his arrival in Texas, in several official capacities in Georgia. He was commissioned colonel of the 8th regiment Georgia militia, and was aide-de-camp both to Brig.-Gen. Robert Tootle and Maj.-Gen. David Taylor during 1832–4. Col Blount married in 1839 a Mrs Lacey whose family name was Landon, and his family consists of six children. *Biog. Sketch*, MS.

Doctor Sherwood A. Owens was born July 22, 1824, in Logan county, Kentucky, and graduated at Kemper College, Missouri, in 1843. In 1848 he took his degree in the medical department of that state university; practised in New Orleans until Feb. 1849, when he made preparations to go to California by the overland route via Salt Lake, and arrived at Sacramento July 2d of the same year. There he followed his profession often making $500 a day. In 1851 he removed to San Francisco, but in the following year sailed for Melbourne, Australia, and was nearly ship-wrecked on the passage. At Melbourne the doctor was offered the position of surgeon on the British fleet ordered to the Baltic; went to Chronstadt and Sevastopol, where he resigned in preference to becoming a British subject, a requisite required by that government in view of the existing war. He then returned to San Francisco, arriving there in Dec. 1855. After further travelling he finally married Lucy J. Thurman, of Jefferson, Missouri, went to Texas, and settled at Waco in the autumn of 1857. During the civil war he was surgeon in the confederate army, and was present at several important battles. He is a zealous mason, and has been eminent commander of his commandery. *Biog.*, MS.

Isaac Van Zandt was born July 10, 1813, in Franklin county, Tennessee; feeble health prevented him from receiving a thorough education. Having engaged in mercantile pursuits in Mississippi for several years he abandoned that vocation; engaged in the study of law; and in 1839, having migrated to Texas, commenced practice at Marshall, in Harrison county. In the following year he was elected representative to the lower house of the Texan congress and reëlected in 1841. His next official position was that of chargé d' affairs to the United States, which he resigned in 1844. Having returned to Marshall, he was elected in 1845 a delegate to the convention that com-

pleted the annexation of Texas to the United States, and framed the first constitution of the new state. In 1847 he became a candidate for the office of governor of the state, and while engaged in an active canvass for that position he died of yellow fever Oct. 11th at Houston. Van Zandt was a man of rare natural abilities, and from his probity and amenity of conduct, was respected and revered by all who knew him. Five out of six children born to him were living in 1888, namely Louisa, widow of Col J. M. Clough, who fell in the defence of Fort Donnelson; Kleber M., born November 7, 1836, admitted to the bar in 1858, and removed to Fort Worth in 1865, where he engaged in mercantile business until 1874, when he turned his attention to banking, and became president of Fort Worth Bank; Lycurgus, a practising physician, born Jan. 5, 1840; Fanny, born May 15, 1842, wife of Doctor Elias Beall, of Fort Worth; and Ida, born May 20, 1844, the wife of J. J. Jarvis, a lawyer and farmer of Tarrant county. *Van Zandt, Memoir*, no. 1, MS.; *Id.*, no. 2, MS.

E. D. Linn, a son of John J. Linn, the author of *Reminiscences of Fifty Years in Texas*, was born in that state in 1848, and received his education in the private schools. He is a prominent member of the committee on education, and has been a member of the 14th to 19th legislatures inclusive. He was the originator of the bill to fund and pay the public debt of Texas. Is editor and proprietor of the *Victoria Advocate*, and one of the trustees of the New York and Texas railway. His father was a member of the general consultation which organized at San Felipe Nov. 3, 1835, declared against the central government of Santa Anna, and established a provisional government. J. J. Linn was also a member of the committee of safety, quartermaster-general during the revolution, and afterward elected to the 1st and 2d Texan congress. *Linn, Biog. Sketch*, MS.

Captain Marcus D. Herring was born October 11, 1828, and educated in Mississippi and Louisiana. Before he was 20 years of age, he was licensed to practise law. In Texas he resided in Austin from 1853 to 1856, when he removed to Waco, where he practised very successfully his profession. During the last three years and nine months of the civil war he served in the confederate army. Capt. Herring is a royal arch mason, and belongs to the I. O. O. F., being the founder of the widows' and orphans' house of that society. *Biog.*, MS.

Col John C. McCoy was born Sept. 28, 1819, at Clark county, Indiana; was educated at Charleston and Wilmington academies, and admitted to the bar in 1842. On Jan. 1, 1845, he arrived at Galveston as an agent for the Peter's colony. In 1851, he married a niece of Ex-gov. Porter of Pennsylvania. During the war of secession, he held various positions, such as quartermaster, enrolling officer, and provost marshal. Col McCoy is a prominent mason, having become a member of that order in 1848. He has filled every possible position, and in 1883 was placed as R. E. Grand Commander of the Grand Commandery, K. T.; is now chairman of the committee of correspondence of the Grand Commandery, K. T. *Texas Biog.*, MS.

T. C. Cook, A. M., M. D., is a prominent member of the house of representatives of the 19th legislature, representing Colorado county. Was born at Tuscaloosa, Alabama, September 19, 1836. He received his degree of M. D. at the university of Pennsylvania in 1859, and that of A. M. at the university of Alabama in 1860, in which year he migrated to Texas. During the civil war, he was surgeon of the 1st regiment of heavy artillery of the confederate army. *Biog.*, MS.

J. W. Swain was born in Kentucky in 1839, and arrived in 1859 in Texas. He served in the confederate army till the surrender of Johnson's army, and on his return gave his attention to farming, which avocation he pursued for five years. He then adopted law as his profession; has served both as representative and senator in the state legislature. In 1883, he was elected for a second term as comptroller, with the extraordinary majority of 190,000 votes. As a member of the state board of education, Swain is anxious for the adoption of text-book uniformity. *Texas Biog.*, MS.

J. W. Baines, secretary of state, and an active member of the state board of education, is a great supporter of public schools, and strongly in favor of uniformity in text-books and method. *Texas Biog.*, MS.

Among periodicals may be mentioned *Street's Monthly*, a literary and masonic publication. J. K. Street, the proprietor, was born in Tennessee in 1837; went to Texas in 1854, and has for many years been engaged in enterprises connected with the press. *Street's Biog. Sketch*, MS.

Samuel Bell Maxey was born in Monroe county, Kentucky, March 30, 1825, and graduated at West Point in 1846, and served through the Mexican war. He resigned in 1849, and was admitted to the bar in 1850. In 1857 he settled at Paris, Texas, and was elected state senator in 1861, but resigned and took service in the confederate army, at the close of which he was a brigadier-general. Was elected to the U. S. senate in 1875, and reëlected in 1881. *Statement*, MS.

W. S. Pendleton, a member of the 19th legislature, was born in Tennessee Feb. 7, 1850, and graduated at Manchester college in 1869. Afterward, having studied law, he was admitted to the bar, and in 1873 settled in Tarrant county, Texas, where he engaged in practice. In 1878, he was elected district attorney of that county, being twice reëlected to the same office. In November 1884, he was elected to the house of representatives, where, among other measures, he introduced that known as the jury bill, inserting new causes of challenge, and making provisions by which professional jurymen are excluded, and allowing intelligent men, who read the papers and keep themselves informed, to sit as jurors, though they may have formed opinions from what they have read. *Biog.*, MS.

George Clark was born in Alabama in 1841; served through the civil war, in which he took part in many battles, being wounded on three several occasions, and went to Texas in January 1867. In 1868 he settled at Waco, which has since that year been his place of residence. Was a member of the democratic state executive committee of 1872, and attorney-general of the state in 1874; this office he held till April 1876. Somewhat later, he was appointed one of the commissioners to codify the laws, and served in that capacity till Oct. 1, 1878. In 1879, he was appointed judge of the court of appeals, continuing in office till Oct. 1, 1880. Since that time he has pursued his practice as a lawyer at Waco. *Biog. Sketch*, MS.

The first county judge elected under the new constitution was W. B. Plemons of Clay county, no less than 16 counties being attached to the one named for judicial purposes.

Jackson Bradly settled in Dallas county in 1851, but afterward moved to what is now Johnson county, where he was justice of the peace for 10 years. In 1861, he was commissioned by Governor Lubbock a captain in the state militia. During the civil war, he served as a lieutenant in the confederate army. Bradly was born in 1816 in South Carolina. *Biog.*, MS.

One who has seen 10 years' service with the rangers is C. L. Neville. During that period he was captain of six different companies. He was born in Alabama, and became sheriff of Presidio county. *Biog.*, MS.

The following is a more complete list of authorities consulted in the preceding chapters: Those of an official character are, *Cong. Globe; H. Jours.; H. Ex. Docs.; H. Miscel. Docs.; H. Com. Reps.; Sen. Jours.; Sen. Ex. Docs.; Sen. Miscel. Docs.; Sen. Com. Reps.; Mess. and Docs.; Census Reps.; U. S. Laws; Sec. Interior Reps.; Agric. Reps.; Education Reps.; Compt. Currency Reps.; Postmaster-gen. Reps.; Coast and Geodetic Surveys.* To the respective indices of which the reader is referred for matter relating to Texas. Texas state documents are, *State Gaz.; Gov's Messages; Treas. Reps.; Compt. Reps.; Supt. Pub. Instruc. Reps.; Attorney Gen. Reps.; State Engineer Reps.; Texas Repealed; Deaf and Dumb Asylum Reps.; Lunatic Asylum Reps.; State Peniten. Reps.; Capitol Building Com. Reps.*

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sted's Journey, 43–480; *Id., Cotton Kingdom*, i. 357–76; ii. 5–29; *Moore's Descrip., Tex.*, 14–15, 42–137; *Disturnell's U. S. Reg.*, see indices; *Morfi's Hist. Tex.*, passim; *Kennedy's Tex.*, ii. 195, 256–8, 344–5, 392–3, 406–19; *Baker's Tex.*, 253–301; *Burke's Tex. Alm.*, 1878, 200 pp.; 1882, passim; *Rock's S. W. Tex.*, 42–192, 201–50; *Id., Tex. Guide*, 7–17; *Thrall's Tex.*, passim; *Id., Hist. Methodism*, 13–180; *Dewees' Letters from Tex.*, 235–8, 309–12; *Dodge's Plains Gt. West*, 405–19; *Frost's Mex. War*, 299–307; *Industries of Houston*, 1–146; *Dixon's White Conquest*, i. 325–56; *Hay's Life*, MS., 1–2, 33–9; *Frobel, aus Amerika*, ii. 293–333, 337–68; *Sweet's Tex.*, N. Y., 1871, 160 pp.; *Green's Reply to Houston*, 11–17, 48–9; *Goddard's Where to Emigrate*, 492–517; *Domenech's Mission. Advent.*, 10–12, 60–2, 82–4; *Id., Deserts of N. Amer.*, 133–51; *North's Five Years in Tex.*, 196–209; *De Bow's Rev.*, see indices; *Id., Industrial Res.*, ii. 544–53; *Id., Encyc. 2d Ed.*, 331–41; *Id., Stat. View*, 169–89; 313–9; *Texas in 1840*, 243–7; *Barbey's Tex.*, 11, 16–22; *Museo Mexicano*, ii. 522–4; *Overland Mail Co. Mem.*, 1860; *Mex. War and its Heroes*, i. 208–11; *McCabe's Comp. Views*, 750–5; *Almonte, Not. Est. Tex.* 11–12, 40–65, 76, 82–3; *Address to Memb. Memphis Conven.; Tex. Veterans, Proceedings*, 1883, 80 pp.; *Linn's Reminis.*, 65–7, 283, 322–4; *Hunt's Merch. Mag.*, xii. to xlv., see indices; *Newell's Revol. in Tex.*, 157–65; *Overland Monthly*, i. 157–64, 367–71; ii. 369–74; vi. 555–61; vii. 270–7; *Land and Thompson's Galveston*, Galv. 1885, 151 pp.; *Spaight's Res., Soil and Climate Tex.*, Galv., 1882, 360 pp.; *Hillard's Life of McClellan*, 41–59; *Hist. Mag.*, iii. 204–6; *Maillard's Hist. Tex.*, 343–52; *Niles' Reg.*, lxii. to lxxii., see indices; *Loughborough's Pac. Telegraph; Swisher' Amer. Sketch-book*, v., no. 6, 339–54; vi., no. 2, 85–100; no. 3, 201–13, no. 6, 428–34; *Pecos Valley Cattle Growers' Association*, 15 pp.; *Id., Land and Irrig. Co., Charter*, 1885, 11 pp.; *Macgregor's Progress of Amer.*, ii. 1257–61; *Swasey and Melton's Ft. Worth Direct.*, 1877, 92 pp.; *Bentley and Pilgrim's Tex. Legal Direct.*, 1876–7, 110 pp.; *Potter's Tex. Revol.*, 16–26; *De Ryee's Tex. Album*, passim; *Haven's Our Next Door Neighbor*, 418–23; *Hughes' Gone to Tex.; Rowell & Co.'s Gazetteer*, 135–7; *Long's Amer. and West Ind.*, 194–5; *McPhail's Tex. Freemason*, ii., no. 10, 12; *Amer. Sketch-book*, 7–11; *Nouv. Annal. Voy*, cliv. 345–6; *Newell's Revol. in Tex.*, 171–3; *Appleton's Guide*, 397; *Putnam's Mag.*, ii. 151–4; *Bancroft's Footprints of Time*, 511–12; *Bustamante, Gabinete Mex.*, MS., i. 23–4; *Colorado and Brazos Cattlemen's Assoc. Proceedings*, 1880–4, 47 pp.; *Howard's Speech on Pac. R. R.*, 6–9; *Crane's Hist. Wash. Co. Tex.*, 30–2; *Marshall's Christian Missions*, ii. 244–50; *Shepard's Land of the Azt.*, 193–204; *Gould's Alamo City Guide*, N. Y., 1882, 151 pp.; *National R. R. Conv., Proceedings; Proceedings 1st Nat. Conv. Cattlemen*, 12–13; *Tex. and Her Capabilities*, 17–61, *Gilbert's Abilene Reporter 3d An. Ed.*, Abilene, 1884, 116 pp.; *Pilling's Bib. of N. Amer. Lang.*, nos. 1402, 2910; *Industries of Austin*, Austin, 1885, 108 pp.; *Munguia Clement Pastorales*, no. ii. 18–20; *Peeble's Expose*; *Industries of San Antonio*, San Antonio, 1885, 136 pp.; *Western Tex.*, 10–99; *Waco, The Emig. Guide*, Waco, 32 pp.; *Wood Bros. Live Stock Movement; Pap. Var.*, 74, no. 16; 143, no. 19; 167, no. 18; 185. no. 1; *Corbett's Legis. Manual*, 302, 306; *Gidding's, Case of*, 1–37; *Tex. Pac. Railway, Arguments*, 4–16; *Calhoun's Navarro Co.*, 1885, 32 pp.; *Visit to Tex.*, 322; *Varios Impresos*, 2, no. vi. 35–40,44–5, 56, 60–5, 76, 79–81, 84–8; *Industries of Dallas*, Dallas, 1885, 138 pp.; *Velasco, Noticias Son.*, 297–8; *Tex. Editorial and Press Assoc., Charter. etc.; Coke's Speech on Reagan Bill*, Wash., 1885, 23 pp.; *Thompson's Recol. Mex.*, 97–8; *Minutes of Memphis Conv.; Tex. Col. Docs.; Gillette's A Few Historic Records*, N. Y., 1885, 131 pp.; *McCulloch's Defense*, Austin, 1879, 46 pp.; *Ft. Worth Commercial Club, Charter*, 1885, 12 pp.: *Terrell's Address on Private Corp.*, Austin, 1885, 32 pp.; *Ft. Worth and New Orleans R. R. Co., Charter, Memphis, El Paso and P. R. R. Hist.*, 8–20 47–62; *Semanario Industria, Mex.*, no. ii. 325; *Carter, Wynne and De Berry's Tex. Laws Relating to Col. of Debts*, 1885, 16 pp.; *McFarlane's Coal Regions of Amer.*, 502–4; *Austin Direct.*, 1877–8, 9–10; *Moran Bros. Mem.*, 1879, 37 pp.; *Zamacois, Hist. Mex.*, xi. 902; *Mercantile Agency Annual*, 1871, 154, 157, 159. In addition to the preceding, an immense mass of newspapers have been examined, which lack of space forbids mentioning in detail. Names are given of a few. *Waco Ex-*

aminer, Dallas Mercury; Id., News; Id., Herald; Austin Statesman; Ft. Worth Tex. Special; Id., Gazette; El. Paso Lone Star; Id., Times; Abilene Tex. Reporter; Colorado Clipper; all published in Texas. The *Call, Alta, Chronicle, Examiner, Post,* and *Bulletin,* published in San Francisco, Cal. *Mo. Republican* and *Globe Democrat,* published at St. Louis, Mo., and the *Inter Ocean* at Chicago, Ill. Nunerous manuscript statements, comprising much valuable data, from prominent citizens and pioneers of the state of Texas, have also been examined.

CHAPTER XXII.

CHIHUAHUA AND DURANGO.

1800–1845.

REDIVISION OF PROVINCIAS INTERNAS—MOVEMENTS DURING THE WAR OF INDEPENDENCE—CRUZ DEFENDS THE ROYAL CAUSE—DURANGO CAPTURED BY NEGRETE—CHIHUAHUA AND DURANGO MADE SEPARATE STATES—PARTY STRIFE AND REVOLTS—LIBERALS AND CONSERVATIVES—FEDERAL COALITION IN THE NORTH—CHANGE OF GOVERNORS IN DURANGO—APACHE RAIDS IN CHIHUAHUA—DECLINE OF PRESIDIO DEFENCES—INDIAN WARFARE—SCALP HUNTING—MASSACRE AT JANOS—THE CENTRAL REGIME—FEDERAL OPPOSITION—DURANGO JOINS PAREDES' REVOLUTION.

THE objections that had in 1785 led to the division of the provincias internas, forced themselves more strongly than ever upon the home government as the complication of duties increased with growing population and resources. In 1804, accordingly, came a royal decree ordering a redivision of them into two districts, the Occidente and Oriente, the Californias and the southern portions of Nuevo Leon and Nuevo Santander, below the line between Soto la Marina and Parras, being left to Mexico.[1] The new comandante general of each district was to exercise the same authority as the existing commander.[2]

Political changes interfered with the observance of this order, till the war of independence made its execution in 1812 a military necessity. Viceroy Vene-

[1] The Bolson de Mapimi falling to the eastern district. The eastern border followed Rio Pilou. See i. 638, et seq., this series, for previous extent.

[2] The subaltern chief's salary was to be $2,000, while the governor and comandante general was to receive $10,000, a reduction of $5,000. The Oriente commander had to organize forces to promote the colonization of Texas. Text in *Real Orden*, May 30, 1804; *Mayer's* MSS, iii.

gas thereupon appointed to the command of the Occidente section, the brigadier Alejo García Conde, governor of Sonora and Sinaloa, a deserving soldier nearly half a century in the royal service.[3]

The Oriente division was offered to the Mariscal de campo, Felix Calleja, and he, declining to accept the position presented it to Simon Herrera, governor of Leon, who was slain by insurgents before acceptance, whereupon Colonel Arredondo received the position.[4] Nava, who ruled the united provinces at the opening of the century, was replaced in 1804 by Colonel Pedro Grimarest,[5] and he soon after by Brigadier Nemesio Salcedo y Salcedo, who was presently recalled to Spain.

The troops under Sara's command consisted in fact of only some four hundred and fifty men, many of whom were filibusters from the United States; but with this slender force he invaded Texas in 1812, and took possession of several cities, driving back the forces of Salcedo and Hererra. Warned of this danger, Arredondo, whose forces had been quartered in the valley del Maiz, at once marched against the enemy, collecting men and material on his way through Nuevo Santander. Meanwhile, Colonel Elizondo, who had been sent in advance, had allowed himself to be drawn into an engagement, and was totally routed. A few weeks later, however, Arredondo himself inflicted a crushing defeat on the insurgents, now under the command of Álvarez de Toledo, who had supplanted Sara. Many of the prisoners were executed, including all the filibusters who fell into the hands of the Mexicans, and thus ended all hope of aid from the United States to the cause of the revolution.

[3] The register says 47 years, during eight of which he occupied the latter grade; decorated with *mérito de guerra* and other distinctions. The order for the division, dated May 1, 1811, was confirmed in 1812. Text in *Prov. Intern. Real Orden*, 1811; *Mayer's* MSS, nos. 6–7, refer to the Sonora chapter concerning García Conde.

[4] See *Hist. Mex.*, iv. 541–3, this series.

[5] Of the 3d battalion of Estremadura infantry. *Real Orden*, May 30, 1804; *Mayer's* MSS, no. 3.

The changes thus made were due less to the increase of population, and the development of the material resources of these provinces, than to military reasons, and with a view to the suppression of revolutionary movements. In the north-west the only troubles to be encountered were the usual hostilities with Indians, but toward the east the revolution had again assumed alarming proportions. In 1811, Bernardo Gutierrez de Sara, a citizen of Revilla, and a strong supporter of the revolutionary movement, had taken refuge in the United States after the suppression of the insurrection in Nuevo Santander, and there sought assistance in behalf of his cause. The welcome accorded to him by the people, and the well-known intentions of the United States government with regard to the Texan frontier, had given rise to no little uneasiness in Mexico, and this was further increased by a report that he was already on his march at the head of a large army, to support the fortunes of the insurgents.

Salcedo had filled the office satisfactorily enough, while availing himself of the many opportunities presented by remoteness, and the disorders attending the war for independence, to accumulate a large fortune.[6] When this conflict broke out in the south he exerted himself most commendably by adopting measures to exclude it from his own territory, and by appealing to his purse-strings and patriotism in behalf of his sovereign.[7] While failing to achieve anything note-

[6] His position embraced the offices of inspector of troops, subdelegado of the finance and mail depts. He returned with the spring fleet of 1814. *Alaman, Mej.*, iv. 37; *Diario Cortes*, xix. 234; *Estrella Occid.*, Sept. 4, 1868. Pike met him in 1807. *Trav.*, 285, 421–8; *Pino, N. Mex.*, 21, 45; *Gac. Mex.*, xi. 274; xv. 40, 903; xvi. 812.

[7] He urged the bishop to exert himself. *Loreto, Miss. Rec.*, MS., 7–11. Watch was also kept by French agents. *Cal. Prov. St. Pap.*, xix. 30–32. Appeal of subordinates in *Pap. Var.*, xviii. pt 27; xxxvi. pt 68; clxi. pt 12. The people responded with similar warmth both in money and prayers and 'juroron solemnement á Fernando VII. for Rey.' *Gac. Mex.*, xv. 902; *Id.*, xv. 195–6, 838–9; xvi. 832; xxii. 63–6; xxviii. 879–84, etc. At the beginning of these appeals, during divine service, an ominous incident occurred. The church at Tapacolmes, near Chihuahua, caught fire from the altar April 8, 1808, and burned with such rapidity that over 300 persons perished, 200 within the building, and 100 of injuries. *Diario, Mex.*, viii. 523–4.

worthy in the field against the insurgents, he had the unenviable satisfaction of superintending the trial and execution of their great leader, Hidalgo, and his chief officers, in the course of May to July, 1811.[8]

Nueva Vizcaya was not left wholly intact by the war, and some feeble local efforts were made by ardent patriots. A month before Hidalgo's capture, a number of insurgents were secured, and the opening of 1812 was marked by a conflict at San Francisco between several hundred men.[9] Toward the close of 1814, Trespalacios and Caballero planned an outbreak at Chihuahua, but the plot was revealed to García Conde, who now controlled the Occidente section from this point, and promptly nipped the movement by arresting the principals.[10] This comparative exemption was mainly due to the watchfulness of the authorities, including the clergy, who exercised most effectively the pardoning power.[11] Brigadier Bernardo Bonavia y Zapata,[12] governor intendente of Nueva Vizcaya, and his lieutenant at Durango, the asesor, Angel Pinilla y Perez,[13] were conspicuously zealous in the royal cause. Chihuahua had its usual Apache raids to meet, and Durango suffered in 1820 brief irruption from rebellious Opatas, which was quelled without any serious bloodshed.[14] The visit of the explorer,

[8] As fully related in *Hist. Mex.*, iv. 276 et seq., this series. A monument was erected on the spot of execution by decree of July 19, 1823, a plain pyramid surrounded by circular steps. *Escudero, Chih.*, 88–9; *Dicc. Univ.*, ii. 693. Allowances were granted for annual ceremonies thereat. *Correo, Fed. Mex.*, Aug. 27, 1872.

[9] The royalists numbered 413, and claimed to have killed 300, besides securing 325 male prisoners and a crowd of women. The heads of the latter were shaved. Gac. Mex., iii. 24–8; ii. 1136.

[10] On Nov. 4, 1814. The betrayer was J. M. Arrieta, who had served Hidalgo as colonel. The leaders were condemned to ten years in presidio. Trespalacios escaped from Habana, and Caballero was pardoned in Spain. *Alaman, Mej.*, iv. 206–8.

[11] Bishop Castañiza obtained this privilege from the viceroy, and delegated it to the priests, the 'bando sobre indulto.' *Gac. Mex.*, viii. 539–42.

[12] Of 54 years' service in 1812, 15 being as brigadier. *Id.*, xii. 341; *Mayer's MSS.*, no. vii,, 2; *Doc. Mex.*, no. iv., 23.

[13] He was presented by the citizens with a gold medal, 'por singular servicios.' *Noticioso Gen.*, tit. 23, 1818; *Discurso*, in *Pap. Var.*, xviii., pt 27.

[14] Of whom 240 were captured. *Noticioso Gen.*, Dec. 20, 1820.

Pike, and the momentary reëstablishment of Jesuits, in 1819,[15] caused a temporary excitement. In 1812, the provinces were cheered by receiving the liberal constitution conceded to the colonies by Spain, with the prospect of an audiencia.[16] Although the constitution was suspended soon after by the viceroy, Nueva Vizcaya managed to elect a representative to the córtes,[17] till its revival, in 1820, provided also an assembly and provincial deputations.

Loyalty to Spain was most pronounced at the opening of this third decade—so much so that when Iturbide turned against his viceregal master,[18] General Cruz, ruler of Nueva Galicia, and the second power in the country, went to Durango to make a final effort in behalf of the tottering cause of Spain. He entered that city July 4, 1821, attended by officials from Zacatecas and other points, with a few hundred soldiers.[19] Negrete, Iturbide's lieutenant, followed in pursuit, and laid siege to the city early in August, with about 3,000 men. The defence was maintained for over three weeks, with brisk firing and occasional sorties, varied by assaults, which involved severe losses.[20] Negrete finally planted a battery against a vulnerable point, and on the 30th gained a decided advantage. By this time defection had assisted to undermine the zeal of the royalist. A truce was accepted,[21] and on

[15] They entered Durango on Palm Sunday to reopen their college. They had to leave again by decree of 1821. *Pap. Var.*, clxv., pt 17. On *Desamortizacion Eccles.*, see *Soc. Mex. Geog. Bol.*, i. 494–5.

[16] *Cortes, Diario*, xv. 289; xvii. 109; *Cortes, Act. Ord.*, 1814, ii. 159–60.

[17] J. J. Güereña, native of Durango. He was curate of S. Miguel, Mexico; subsequently canon doctoral at Puebla, and prominent in spreading vaccination. According to *Alaman, Mej.*, iv. 218, he died at Cádiz on Oct. 13, 1813, during the epidemic, yet *Cortes, Diario*, xix. 218, alludes to him as acting in 1820.

[18] The provincial deputation hastened, in March 1821, to assure the viceroy of its devotion, and Bishop Castañiza warned his flocks against the perfidious acts of Iturbide. *Gac. Mex.*, xii. 391–2, 402.

[19] The total force at Durango was now placed at about 1,000 men. *Gac. Guad.*, Aug. 1, 1821. Cuevas, *Porvenir*, i. 106, reduces it to barely 800. *Liceaga, Adic. y Rect.*, 462.

[20] Especially the sorties of Aug. 6th, 15th, and 30th. On the latter occasion, a ball struck Negrete in the mouth, knocking out three teeth, and compelling his temporary retirement. *Liceaga, Adic. y Rect.*, 462–3.

[21] During which, troops on both sides fraternized. *Gac. Guad.*, Sept. 1, 1821.

September 3d the garrison surrendered, with the honors of war, and permission to retire with Cruz to Spain.[22] M. Urrea was installed as gefe político, while Antonio Cordero, who had governed at Durango as civil and military governor for the last three years, was rewarded for prompt adhesion with the comandancia general of the Occidente section, in place of García Conde, who had delayed.

In the following year the empire was received with the acclamation usually accorded to success, and Chihuahua and Durango were gladdened with the prospect of separate comandancias de armas.[23] When shortly after the federalists rose against Iturbide, Chihuahua joined with equal readiness in the cry, after a momentary objection from Janos.[24] In Durango measures were at first taken against the movement, but on March 5, 1823, the troops declared in favor it it,[25] followed by the people. Comandante general Cordero resigned, however, as did Brigadier I. del Corral, civil and military governor at Durango, whereupon the diputacion provincial declared the intendente Juan Navarro successor to the latter, and Jaspar de Ochoa, colonel of the pronouncing garrison, as commander in place of Cordero.

By decree of July 19, 1823, the supreme congress decreed the division of Nueva Vizcaya into two provinces, to be known as Chihuahua and Durango, respectively, the capital of the former receiving the title of city and becoming the seat of a diputacion provincial.[26] The act was just to Chihuahua, to

[22] Text in *Id.*, Sept. 15th. The officials took the oath on Sept. 9th. *Pap. Var.*, l. 50. The people and authorities began to vie in honoring Iturbide. *Gac. Imp.*, i. 249–51, 389.

[23] *Mex. Mem. Guer.*, 1823, 25; *Pop. Polit.*, ii., pt 15.

[24] Whose garrison objected to the proclamation of the Casa Mata plan at Chihuahua, on March 12th, and marched upon this city. Negotiations soon brought these troops over. *Pinart, Doc. Chih.* MS., i. 27–38, 90, 93.

[25] Commandant Ochoa at Durango pronounced for it. The diputacion provincial recommended the new order to the people in July. *Vallejo, Doc. Mex.*, i., pt viii. 1–7. Vaca Ortiz, deputy for Durango and cast into prison by Iturbide, was now honored. *Bustamante, Hist. Iturbide*, 97.

[26] Chihuahua to extend from Rio del Norte to Rio Florido, and Durango continuing to its original southern boundary. *Mex. Col. Ord y Dec.*, ii. 147–8.

which was already conceded a population of over 100,000, with requirements that made necessary a separate administration from that residing at the distant and uncongenial Durango. Nevertheless, a party persuaded the chamber to reunite the two provinces, including New Mexico, under the appellation Estado Interno del Norte, with capital at Chihuahua.[27] Durango, however, raised objections. She demanded that her chief city be retained as capital, or that she be made a separate state or territory,[28] on the ground of her large population, with resources far superior to those of Chihuahua and of several existing states. The appeal found hearing, and on May 22d and July 6, 1824, the separation was affirmed, New Mexico being declared a territory of the federation.[29] In the following year the two states, issued their constitution, in accordance with the federal organic law of the republic.[30]

Chihuahua established only one legislative chamber of not less than eleven deputies, while Durango indulged also in a senate of seven members,[31] thereby supplying additional food for the party feuds which quickly began to unfold. In the constituent legisla-

[27] Decree of Jan. 31, 1824. On Feb. 4th was issued a law creating a legislature for this state, assigning to Chihuahua and Durango five deputies each, and to New Mexico one. *Mex. Col. Ord y Dec.*, iii. 25–6, 18.

[28] This appeal was made by the diputacion itself. It was shown that population and resources were sufficiently abundant for a separate existence. *Pinart, Doc. Chih.*, MS., ii., no. 1.

[29] The decree of May 22d applied only to Durango, so that the claim by Chihuahua hung in the balance till July 6th, when she also was declared a state, with approval of deputies elected in May; the eight proprietary members joining with the three suplentes to form the legislature. *Mex. Col. Ord y Dec.*, iii. 50, 54–5. Her limits were Paso del Norte on one side and the hacienda de Rio Florido on the south, 'con su respectiva pertenencia.' The Durango legislature which met on June 30th, had eight proprietary members, and President Escarzaga, yet for the following legislature eleven were elected, at the rate of one for 11,000 souls, the estimated population being 120,000. *Dur. Col. Tej.*, 30–2. The federal constitution of October, confirmed the separation.

[30] Durango on Sept. 1st, and Chihuahua on Dec. 27th; the provisional constitution of the former appeared as early as July 29, 1824, and 1–11, 38–65; *Mex. Col. Constit.*, i. 156–94, 274–319. This will be considered in a separate chapter.

[31] Her voting in 1825 is given in *Pap. Var.*, xxxi., pt xvii. 1–5.

ture or convention, the escocés and yorkino, or conservative and liberal, elements[32] already asserted themselves in a marked degree, for a time under the localized nicknames of Chirrines and Cuchas.[33] Soon the military entered as a third party to watch their opportunities for spoil. The elections for the first regular legislature were disputed,[34] and it was not till May 1, 1826, that the body was installed [35] in not fully complete form. The triumphant liberals controlled it and failed not to direct blows against the clericals, who responded by fomenting a conspiracy for August 4th. This was promptly stopped with the aid of informers, and more strenuous measures were taken against the party, to which end extra powers were conferred upon the governor, Santiago Baca Ortiz, deputy to the first national congress, and leader of the yorkino party.[36] The result was that the opponents had recourse to fresh plots, one of which in November met the same fate as the preceding;[37] another took place in March 1827, when Lieutenant J. M. Gonzalez proclaimed himself comandante general, arrested the governor, dissolved the legislature, and terrified the liberals generally, assisted by women,

[32] The rise and development of which are treated in *Hist. Mex.*, v., this series.

[33] The former denoting pretenders to learning and greatness, and as they embraced besides Churchmen and Spaniards, the students and youth, the term 'partido de los muchachos' was also applied by the Cuchas, a name signifying buffoons and beggars, who gained their bread by creating merriment among the people. *Ramirez, Not. Dur.*, 62–3. The Chirrines unfurled a green standard, with the watchword Viva la Religion Católica; hence also the appellation Catholics. The latter split after 1848 into Atalayas, or new men, who objected to the extreme conservatism of the other faction. See also *Zavala, Rev. Mex.*, 277 et seq.

[34] Arguments for both sides, in *Alcalde, Espos.; Mex., Observ. al Congreso*, 1–2; *Esto viene muy al caso*, 1–2; *Pap. Var.*, xxxi., pts 18, 22, lxix., pt 11, with remonstrance against divisions of the constituent committees.

[35] Under the presidency of J. J. de Escárzaga, in the senate, and J. M. de Arrieta, in the house. J. de Matos had been president of the constituent convention. *Son., Actas Cong.*, i. 220.

[36] The legislature elected the governor, hence this selection. His sufferings as one of the deputies imprisoned by Iturbide had earned him great sympathy, which he justified by an energetic and able administration. *Ramirez, Not. Dur.*, 64.

[37] It was fomented by Canon Zubiría. More than 200 had joined the plot when it was divulged. *Correo Semanario*, i. 68–73, 123–4.

who felt it a duty to sustain their confessors.[38] The general government took prompt steps to check the movement, by sending General Parras, whose mere presence sufficed to dissipate it, for Gonzalez' men passed over and their leader fled.[39] Comandante general J. J. Ayestaran was replaced by José Figueroa.

The following elections proved as unsatisfactory as the preceding, until finally the supreme government interfered, and effected a settlement for the moment,[40] in favor of the yorkino interest, this party having carried the day at Mexico, by electing Guerrero to the presidency.[41] Disorders at Mexico in 1828, produced a corresponding ebullition between the factions in the north, and the installation of the new legislature did not take place until the middle of the following year. Even then it was quickly dissolved by Governor Baca, who replaced it by one of more pronounced yorkino type. Guerrero's liberal administration being overthrown in December, Colonel Gaspar de Ochoa pronounced in favor of the rebellious vice-president Bustamante, and in February 1830, mustered a rabble in opposition to the new governor, F. Elorriaga, whom he arrested with other prominent yorkinos. He then summoned the legislature which had been dissolved by Baca. The civil and military authorities were now headed by J. A. Pescador and Ochoa.

The general features of the preceding occurrence applied also to Chihuahua, although in a modified form.

[38] Doña D. Pacheco de Arenas marched through the streets and enlisted followers. *Tornel, Nac. Mej.*, 273–84.

[39] The expulsion of Spaniards was a cause for the revolt. *Suarez y Navarro, Hist. Méj.*, 82–3; *Ward's Mex.*, i. 313–14. See also *Correo Fed.*, April 12th, May 2, 1827. An amnesty was granted to the rebels. *Arrillaga, Recop.*, 1829, 44.

[40] Obliging acceptance of the divisions made by the electoral conventions of June 25–30, 1827. *Tornel, Nac. Mej.*, 273–84. For names of senators see *Mex. Col. Leyes*, 1829, 18, 33–4.

[41] The legislature sent its congratulations and contributed $10,000 to the general treasury. *Correo Fed.*, Jan. 30, Feb. 12, 18, June 8, 1828, sup., while Chihuahua gave three times as much.

The first person elected under the new constitution of 1825, was Simon Elias Gonzalez, who being in Sonora, was induced to remain there, J. A. Arce taking his place as ruler in Chihuahua. In 1829, however, Gonzalez became comandante general of Chihuahua, his term of office on the west coast having expired.

Arce showed himself a less thorough yorkino than his confrère of Durango. Although unable to resist the popular clamor for the expulsion of the Spaniards,[42] he soon quarreled with the legislature, which declared itself firmly for Guerrero, and announcing his support of Bustamante's revolution, he suspended, in March 1830, eight members of that body, the vice-governor, and several other officials, and expelled them from the state. The course thus outlined was followed by Governor J. I. Madero, who succeeded in 1831, associated with J. J. Calvo as comandante general, stringent laws being issued against secret societies, which were supposed to be the main spring to the anti-clerical feeling among liberals. This feeling was wide-spread, and at the first symptom of reaction against the government at Mexico, Durango displayed active approval. In May 1832, José Urrea, a rising officer, undertook to support the restoration of President Pedraza, and on July 20th, Governor Elorriaga was reinstated, and the legislative minority overthrown together with Baca was brought back to assist in forming a new legislature, which met on September 1st.[43] Chihuahua showing no desire to imitate the revolutionary movement, Urrea prepared to invade the state. Comandante-general Calvo threatened to retaliate, and a conflict seemed imminent when the entry of Santa Anna into Mexico put an end to the

[42] Which manifested itself strongly in 1826. *La Palanca*, Sept. 14, 1826. In 1827 the legislature opposed the expulsion bill by eight votes against two. *Mora, Obras Sueltas*, ii. 255; but in vain, for three score were expelled out of eight score entered on the list. *Mex. Mem. Estad.*, 1829, doc. 1; *Correo Fed.*, Jan. 2, 1828.

[43] Under the presidency of M. Castañeda in the lower house, and of F. Romo in the senate. *Pinart, Col. Doc.*, no. 251; *Zamacois, Hist. Mex.*, xi. 902.

dispute.[44] A new legislature met at Durango in February 1833, and B. Mendarozqueta succeeded as governor, both ready to coöperate in the liberal measures

DURANGO AND SINALOA.

of Farías, whom President Santa Anna had left in

[44] Correspondence between the respective governors and commanders in Sept.–Oct., in *Pinart, Doc. Chih.*, ii. 11–22; *Id. Coll.*, 1832, 1–2; Bustamante, *Voz. Patria*, MS., iii. 193–5, reproduces some lofty epistles from Calvo.

charge of the administration to feel the public pulse, while he kept safely in the background till the turn of affairs should become clear. One step was the banishment of Bishop Zubiría for resisting the law relating to curas and other encroachments on the church;[45] another joined the western states in a short-lived coalition for sustaining the federal system.[46]

No sooner, however, had Santa Anna turned upon his colleague in alarm at the imposing efforts of the clerical party, than legislature as well as governor followed the example by adopting, in July 1834, his plan of Cuernavaca, which put a check to reforms. But such was their lukewarmness in enforcing it that the commanding officer, Colonel J. I. Gutierrez, on September 3d, at the head of the garrison, affirmed the plan, and at the same time declared the term of the legislature and governor expired.[47] At a convention of citizens called by himself to select a new provisional ruler, he naturally obtained the vote, with P. J. Escalante for his deputy, and a council to guide the administration.[48] Considering it for his interest to discountenance such radical dispositions of state authorities, Santa Anna ordered the reinstatement of Mendarozqueta, associated with Ochoa as comandante general. Gutierrez humbly yielded, but Escalante refused to surrender office, midst riotous demonstrations, whereupon troops were summoned from Zacatecas. Their approach gave force to the mediation of the returned prelate, and the change was effected without bloodshed.[49]

[45] Correspondence in *Zubiria, Docs*, 1–27; *Pap. Var.*, lxxiii. pt 8. The bishop departed quietly by night, on May 9th, to obviate an émeute among his devoted flock.

[46] The supreme govt approved the object in Oct. 1833; the federal feature came to naught; but the germ was left for a defensive alliance against savage inroads from the north. Documents in *Pinart, Doc. Son.*, ii. 21, 31-2, 41; *Id., Coll.*, nos. 97, 266, 297–8, 318.

[47] Text in *Pinart, Coll.*, no. 326. Midst cries from the mob of Muera la Federacion! y Viva Santa-Anna! *Ramirez, Not. Dur.*, 15.

[48] Names in *Tiempo*, Sept. 22, 26, Oct. 8, 26, 1834.

[49] *Oposicion*, Oct. 8, 22, 29, Nov. 20–2, 1834. Gutierrez wrote a long disculpation, showing that he had merely given effect to popular desire, and obeyed every order from Mexico. Indeed, his moderation procured wide approval in Durango. *Dur. Examen Crit.*, 30–44.

The ensuing election brought a new legislature,[50] with governors conforming to the change of aspects. Nevertheless, in September 1835 political influence brought in as ruler José Urrea, of federalist tendencies, whose different revolutionary efforts had brought him to the grade of brigadier, with an ambition to gain further distinction.[51]

In Chihuahua, where the reaction under Farías had found less active response, the Cuernavaca plan was adopted in July 1834, with quiet deference to the national decision. At the same time the old favorite, Simon Elias Gonzalez, lately comandante general, was nominated governor, while the supreme authorities conferred the military command upon Colonel J. J. Calvo,[52] whose firmness had earned well-merited praise. The state was in the midst of a war with the Apaches, which required the concentration of all energies and resources for defence. After a review of the situation, Elias declared that the interests of the territory would be best served by uniting the civil and military power, at least while the campaign lasted. Opposition being made, he firmly insisted, and resigned.[53] This exemplary abnegation was not lost, for in 1837 he was renominated with acclamation.[54]

The advance of settlement in these northern provinces, as described in a preceding volume, had been contested step by step by the aborigines, till sword and cross succeeded in bringing the less roaming

[50] With J. M. Asúnsoto for governor, who was replaced by J. M. del Regato in the beginning of 1835. *Dur. Gac. Gob.*, Jan. 25, 1835.

[51] Although styled also comandante general in *Pinart, Coll.*, no. 440, *El Tiempo*, Oct. 13, 1834, proclaims G. Ochoa as appointed to this position on Sept. 22d, in order to neutralize the bent of the other.

[52] J. M. Echavarría was declared vice-governor. *Id.*, Aug. 7–8, Sept. 6, 1834. Governor Madero's term was about to expire. For deputies, etc., see *Id.*, Sept. 19th; *Pinart, Doc. Chih.*, MS. ii. 25–30.

[53] This was represented by the *Sol de Mayo* as an act by the legislature, but *El Fanal* of Chihuahua explained the truth. *Oposicion*, Apr. 30, May 13, June 13, 1835. Calvo was accordingly recognized also as governor. *Arrillaga, Recop.*, 1835, 549; *Hist. Doc. Cal.*, i. 166. Echavarría acted at times for him. *Cal. St. Pap.* (Sac.), xiii. 5.

[54] And likewise for Sonora. *Gandara, Espos.*, 9–10; *Pap. Var.*, cliii., pt 10.

tribes under subjection, and driving the rest into the mountains beyond the Rio Bravo and the lines of presidios skirting it. Among these intractable bands, designated by the general terms of Apaches and Comanches, hunting was practically the only occupation. Closely allied to it was warfare, fostered during this long struggle till it became a second nature, and stimulated by the brooding idea that their hunting-grounds had been taken from them by white invaders. Right, as well as vengeance, therefore, urged them to retaliation by entering this domain bequeathed by their forefathers, and wresting a share of its produce in fat cattle and fleet steeds, with scalps for trophies. The ordinary chase fell into comparative disrepute beside this ready source of supply, made glorious by daring feats and bloody achievements.

The colonial government tried one measure after another in the effort to check the terrible raids, which between 1771 and 1776 resulted in the slaughter of 1674 persons in Nueva Vizcaya alone, not counting soldiers, travellers, or captives, while vast districts were laid desolate. In 1786 Viceroy Galvez proposed a war without cessation or mercy against every tribe until it should be forced to sue for peace—a peace to be based on mutual interest, by encouraging the Indians with regular or occasional gifts while undermining their health with subtle distribution of fiery liquor, and creating a desire for luxuries that could be obtained only in peaceful intercourse with settlers. Any infringement of treaties was to be relentlessly punished, and wars of extermination suscitated among the tribes.

This Machiavellian policy was pursued with great success, although subjected to modifications by different commanders, for during the remainder of this century and the beginning of the following one no serious outbreaks are recorded. With the changes and administrative corruption attending the entry of Viceroy Iturrigaray came a degree of laxity, which encouraged the insolence and daring of the Apaches.

Two chiefs, Rafael and José Antonio, proved especially troublesome in their raids, which extended, during half a dozen years, from Rio Bravo to within the borders of Durango, and resulted in the murder of 300 persons, the kidnapping of more than two score, besides heavy losses in property.[55] Sonora suffered also. The death of these two savages in 1810 procured a lull,[56] which was broken by no very severe outrages, save in 1813–14, when Sonora bore the brunt. Yet petty depredations were of constant occurrence.

The transformation of the colony into a republic, with its rapid development of party strife and maleadministration, led in the north to indifference and desertion among the unpaid or neglected soldiers, and to a reduction of the presidio garrisons so as to render several of them of little service. The ever changing comandantes and comandantes generales had been prompted by pledges or zeal to reörganize or improve the garrisons, but the lack of funds and means had ever proved insuperable. Assignments of funds were frequently procured from state and general governments, only to be set aside for other preferred creditors, or to be absorbed by revolutions which were often started solely to obtain possession of such moneys. The sums allowed served for momentary propitiation, to secure the small portion of the force; others received only partial pay. The immense arrears were no longer hoped for either by soldiers, or by settlers from whom the former had been obliged to extort supplies on credit.[57]

[55] In *Doc. Mex.*, ser. 4, iii. 1–88, is given a detailed account of 137 raids by them, and the chief Chinche who perished in 1806, resulting in 298 killed, 53 wounded, and 45 captives. *Extracto o Sucinta Relacion*, by Ruiz de Bustamante.

[56] Rafael was of Ópata descent, and educated, according to some accounts, by a Sonoran priest. This enabled him to acquire useful guidance, through the robbed mail, for his depredations. He had for a wife a Mexican captive, whose love induced her to fight by his side. When he fell, she refused to surrender, and killed several soldiers before her spirit fled to join her warrior hero. *Froebel*, ii. 246; *Putnam's Mag.*, iv. 412.

[57] Over a million was owing to the few existing troops of Sonora alone according to *Velasco, Son.*, 99–2; *Soc. Mex. Geog., Bol.*, viii. 392–4.

For a while the colonial presidio system was left unmolested to prompt the diminishing garrisons to a certain maintenance of order among the surrounding tribes, by energetic pursuit and punishment of marauders, in which expeditions they were sustained to some extent by the local guards, although these were seldom provided with better arms than bows and lances.[58] Soon, however, the spirit slackened, partly because the raids were not sufficiently severe to rouse the people, partly from political preoccupation and from the causes above enumerated. The Indians were not slow to perceive the change, and as the lack of means became perceptible in diminishing presents and allowances, they felt an additional motive for resuming the long deferred inroads. In 1831 the uprising began,[59] extending gradually into Sonora. The government of Chihuahua took prompt steps by sending troops in different directions, one party under Captain Ronquillo penetrating to the Gila. Nevertheless the peace proposals of the wily savages were entertained in 1832 with such readiness that the stolen cattle and other booty were conceded to them.[60]

The effect of such leniency, in marked contrast with the extermination policy, was to encourage the Indians to renewed inroads on a larger scale. In fact, the state capital itself was threatened that year, and their ravages reached such an extent that one settlement after another was abandoned.

The method of the marauding tribes was well calculated to inflict the greatest possible damage with the minimum of exposure. After leaving a small band to provide for the safety of the women and camps, the rest of a tribe, to the number of perhaps 200 or 300, would approach the selected raiding

[58] And few could manage the bow adds the *Oposicion*, May 13, 1835.

[59] Due to a lack of policy and circumspection, says Conde, *Soc. Mex. Geog., Bol.*, v. 313, which meant the withholding of rations, etc., and the attempt, as Escudero adds, *Not. Chih.*, 249–50, to force them into a more civilized life.

[60] The cattle were actually branded so as to prevent dispute.

ground, and dividing into small parties, overrun it at different points, thus ensuring more booty, while distracting the settlers from effective pursuit. The entry generally took place during moonlight nights, the day being passed in hidden retreats, guarded by sentinels. If travellers or caravans became the object, ambuscades proved the best means for entrapping them. A determined resistance, however, readily obliged the assailants to retreat. For the capture of stock, stampeding devices were much in vogue. In retreating with the booty, the party often divided into still smaller bands, in order to secure at least a portion of the plunder, a fleet rear guard being left in observation to give warning or to misdirect pursuers. Occasionally a larger number would unite to check the troops, so as to give time for the captured stock to be hurried off. If closely pressed, the Indians preferred to spear the animals rather than leave them for a later descent. At the rendezvous chosen before departure, the bands met to divide the spoil, whereupon each returned to its home, there to celebrate success with dances and other entertainments, to which the possession of scalps lent special éclat. Women and children were captured for adoption, the latter being reared as warriors. Indeed, some of the fiercest and most formidable fighters and chieftains have been assigned to this origin.[61] Although averse to the risk of open battles, the Apaches nevertheless offered and accepted it on many occasions, displaying tactics fully equal to those of the troops, with due coördination of cavalry and infantry, of bowmen and lancers.[62]

Under the Galvez system, each presidio had to send out every month a reconnoitring party. In time of danger, settlers as well as soldiers kept horses and

[61] Additional details on their habits and warfare may be found in *Soc. Mex. Geog., Bol.*, v. 315–17; xi. 92, 115 et seq.; *Velasco, Son.*, 253–4; *Escudero, Son.*, 74–6.

[62] Pike refers to this as early as 1806. A Spanish officer 'spoke of his cavalry breaking their infantry as a thing not to be thought of.' *Trav.*, 339–40. In my *Native Races*, i. 493 et seq., their weapons, methods of warfare, etc., are described.

supplies ready for instant march. The decline in strength and discipline among the garrisons involved the total or partial abandonment of this cordon of observation. Latterly, the skillful and daring maneuvres of the Indians rendered these flying excursions of less value. Moreover, the small parties ordinarily detached for such duty were now exposed to greater danger, owing to the ever-increasing efficiency of Indian armament, in muskets and powder obtained from United States traders in exchange for cattle and other stolen effects. The large proportion of forced recruits in the republican army tended to diminish still more its value, for these unwilling soldiers were little inclined to expose their lives.[63]

As the danger increased, a general call to arms was made; the governor received extra power, and a loan of $80,000 was decreed to wage war upon the savages.[64] Yet nothing availed. Whenever a band was closely pressed, it accepted the too readily offered peace, thus obtaining an opportunity to dispose of its booty and replenish its store of ammunition. This effected, it stood prepared to join other bands, which had meanwhile been extending their ravages in less protected districts. And so the devastation continued; settlements were deserted,[65] and famine followed in the wake.

Repeated appeals were made to the general government for aid; but the struggle carried on throughout this decade between conservatives and liberals, in

[63] Gregg declares that three or four Apaches would venture within sight of Chihuahua to ravage with impunity. The troops sent in pursuit would generally keep well beyond range, or retreat before obtaining a view of the foe's main body. Yet the local journals were filled with accounts of prodigious feats. *Com. Prairies*, 294–7. Formerly 25 soldiers could rout 100 Indians; now they face equal numbers. *Velasco, Son.*, 248.

[64] Every month $9,000 were to be furnished. *Chih. Manif.*, 1–2. The militia was placed at disposal of the sup. govt. *Arrillaga, Recop.*, 1834, 469. It was difficult to collect the loan; some persons contributed in effects. *Pinart, Doc. Chih.*, ii. 24–7.

[65] At first the partidos of Galeana, Aldama, Rosales, and Paso suffered most. Cármen was reduced to half its population; other places declined still more; 'no producen ya ni la octava parte de lo que antes.' *Escudero, Chih.*, 125.

every direction, diverted troops and funds, so that little could be granted for the relief of these provinces. Besides, complaints from that quarter had been too frequent and exaggerated to create much attention. Soon, however, came a bitter affirmation. Encouraged by the impunity enjoyed by the Apaches, the Comanches joined more freely in the raids,[66] giving them wider proportions, and the Indians penetrating further and further into the interior, until they overran Durango, and penetrated into Zacatecas.[67] Then came a clamor that revealed the serious nature of the danger and roused the government to at least a spasmodic effort. The suggestions from deputies and commandants for protecting the frontiers were submitted to committees charged to frame reports on the matter. Meanwhile some money and troops were sent to coöperate with the state forces, which succeeded in driving back the invaders, or rather inducing them to withdraw. This accomplished, the troops returned to the political arena, and the Indians renewed their operations.[68]

In their despair the states placed a price upon the heads of the marauders, offering $100 for every male scalp and half that amount for that of a female.[69] With this inducement foreigners and friendly Indians joined in the human hunt, notably a man named Kirker, who organized a regular company for seeking scalps.[70]

[66] In May 1835, 600 or 700 entered the state and several engagements followed. *Oposicion*, June 23–5, 1835; *Cavo, Tres Siglos*, iii. 82.

[67] In 1840 the Comanches came within four leagues of Durango city, which lies apparently remote from such visitors. *Mex. Mem. Guer.*, 1841, 36. That same year the Apaches entered the centre of Sonora for the first time within memory. *Soc. Mex. Geog., Bol.*, xi. 92–3. The incursion into Zacatecas was marked by the slaughter of hundreds of victims. *Mex. Informe Pesquis.*, 12–14, 26, 37. This authority ascribes the Comanche raid to the treaties concluded with them about this time by Mason and Chouteau in the U. S. Markets, maps, arms, and other aid were freely supplied from that quarter.

[68] Velasco, *Son.*, 103–4, declares that the defences were even more neglected in 1845 than during the preceding decade. *Soc. Mex. Geog., Bol.*, viii. 399–400.

[69] And yet more infamous, $25 for a child. It was in operation but a few weeks says Gregg, *Com. Prairies*, i. 299–300.

[70] Hobbs, who joined the party, states that James Kirker was a Scotch trap-

His first success, in surprising an Indian camp, proved so great that only a portion of the promised funds was paid. Jealousy also assisted in suspending the project. The result had been a marked diminution of ravages, but these now increased once more in magnitude, till "barely a horse remained in all the state,"[71] the marauders penetrating to the centre of Durango, slaughtering in one week of September, 1845, 100 persons, and in October 50 persons in the Cuencamé region alone.[72] Troops and volunteers were massed and sent forth, and reports came of victories and of Indians expelled, to be followed by others of fresh outrages and of disastrous defeats, till the minister of interior affairs himself cried out that the state was in desolation.[73]

In Chihuahua, Governor García Conde had recourse in 1842 to the pusillanimous and dangerous expedient of buying peace.[74] This, as often demonstrated, proved only an incentive to further hostilities. Sonora protested loudly against the conclusion of such treaties, which temporarily secured certain portions of Chihuahua, at the expense of the adjoining state, which was raided by bands which took refuge in Chihuahua, selling the acquired booty there under cover

per, captured some time before by Apaches, associated with them as a leader. Tired of the life Kirker ran off with the money secured for sold Apache booty, and now appeared to fight his former comrades. *Wild Life*, 81–3. Americans, Shawnees, and Mexicans united, forming a party of 200, according to *Niles' Reg.*, lvii. 19. Hobbs, 93, 98–9, says most of the Americans left after failing to receive full payment for the yield of the first hunt, which brought 182 scalps and 18 captives.

[71] As Bustamante puts it. *Gabinete*, ii. 105–9. For raids, see *Id.*, *Diar. Mex.*, MS., xliv. 59, 127.

[72] *Amigo del Pueblo* gives some harrowing details, Oct. 18, 23, Nov. 4, 6, 27, Dec. 18, 1845. *Abeja* is very full about these raids, especially in the Oct. and Nov., 1844, issues. *Bol. Notic.*, Jan. 11, 1845.

[73] He charged U. S. officers with directing these inroads. *Pinart, Coll.*, no. 851. See also *Young's Hist. Mex.*, 378.

[74] *Conde*, in *Album, Mex.*, i. 22; *Rivera, Hist. Jal.*, iii. 541; *Conde, Vindic.*, 1–8; *Pap. Var.*, clvi., pt 23. The people, however, endorsed him, and in 1845 a general clamor called for his restoration to the governship from which he had been removed. *Repres.* or *Chih., in Miscel.*, iii. 5; *Bustamante, Diar. Mex.*, MS., xliv. 59, 81, 127, with account of raids. It was openly advocated to grant certain bonds monthly rations, $5,000 a year, and, moreover, the right to sell their stolen booty. *Pinart, Doc. Chih.*, MS., ii. 32.

of the agreement. In their exasperation, the Sonorans on one occasion quietly followed some bands to their encampments round Janos, and when they appeared for their stipulated rations, fell upon them, slaughtering more than a hundred men, and carrying off nearly as many women and children. Deeds like these are said to have been not infrequent in past days, and to have done more to inflame the Indians than encroachments upon their hunting grounds.

All measures failing to avert the tempest, the terrible man-hunting is again resorted to, and Kirker once more engages in scalp-taking. But the Apache is fleet and cunning, and the chase soon becomes unprofitable. But if hostile scalps cannot be had there are plenty in the peaceful rancherías. And so the hunters pounce upon many an innocent band, rendering the surprise and massacre yet safer to themselves by sending beforehand kegs of liquor to over-power the warriors.[75]

The overthrow of the federal system in 1836 for a centralized form of government[76] reduced the states to departments, under governors appointed by the supreme authority.[77] The change tended to calm for a time the political factions, and the ensuing war with France united opponents. Nevertheless, the federal feeling was not extinct in Durango, and in 1837 both governor and assembly appealed to the president in favor of the constitution of 1824, declaring the central government to be too remote to properly understand the wants of the province.[78] In 1839, a feeble move-

[75] These unscrupulous proceedings were naturally kept as quiet as possible. Ruxton heard of several instances, and states that neither age nor sex was spared. *Adven.*, 158–9. See *Bartlett, Marr.*, i. 322–3. *Ind. Aff. Rept*, 1871, 43–4. Hall, *Son.*, MS., 171–2, adds that settled Tarihumaras and even Mexicans were frequently mistaken (!) for Apaches, and more murders committed in a month than Apaches could have done in a year.

[76] See *Hist. Mex.*, v. 144 et seq., this series.

[77] From the 'terna,' three candidates, proposed by the departmental assembly.

[78] *Dur. Espos.*, in *Pap. Var.*, xxxix., pt 2. This was supported by local appeals, as *Dur. Repres. de Victoria*, 1–10.

ment[79] was made in sympathy with the federalist revolt which Urrea had maintained in the northwest and east for two years, and in 1841 the comandante general, J. A. Heredia, joined the Guadalajara pronunciamiento by Paredes, which, demanding a reformed constitution, brought about a dictatorship under Santa Anna.[80] This opportune movement procured for him the governorship,[81] but his remissness in seconding the revolution of the same leader against the dictator, at the close of 1844, lowered his prospects somewhat. The return now to a federal system brought B. Mendarozqueta into his place.[82]

In Chihuahua, both the assembly and governor, General J. M. Monterde,[83] sought to resist the movement against Santa Anna, and failing in this, the latter placed in charge of the administration Deputy Luis Zuloaga. The character and abuses of this man provoked loud protests,[84] and in June 1845, Commandant Ugarte compelled him and several obnoxious assemblymen to resign, whereupon Angel Trias was installed as governor.[85] Neither this governor nor the civil authorities of Durango favored the uprising of Gen-

[79] By Capt. Rosa and some artillerists on May 3d. Com.-gen. Heredia promptly suppressed it. *Bustamante, Gabinete*, i. 187. M. Castañeda was governor at the time. P. de Ochoa had acted in 1837, and before him Peña and Esparza. *Pap. Var.*, clxxx., pt vii., 10.

[80] *Hist. Mex.*, v. 227 et seq., this series. Heredia's proclamation, in *Vallejo, Doc. Mex.*, ii., pt 464, 13–14. The bishop of Durango protested against the power given the congress by the organic law of 1843 as compared with that of the church. *Dur. Ocur. Prelado*, in *Pap. Var.*, clvi., pt 4.

[81] In which he was confirmed in 1844, although failing to obtain a decisive majority in the primary local election. *Constitucional*, Feb. 27, Mar. 1, 1844. Mendarozqueta and Zubiría had acted previously.

[82] He still held the power in 1847, although F. Elorriega acted in 1845 and 1846. *Mem. Hist.*, Feb. 1, 1846.

[83] Who succeeded F. García Conde in 1843. The latter had, in 1840, by general request, succeeded the deceased gov., J. M. Irigoyen, who had shortly before replaced Elias Gonzalez. M. Andrade, *Manif.*, was appointed in 1839, but set aside before taking possession. *Pap. Var.*, lxxx., pt 7. See *Id., Repres. de Allende*, and pt 8, for successors. *Conde, Vindic.*, 5; *Chih. Mem. Hac.*, doc. 1, *Soc. Mex. Geog., Bol.*, xi. 193.

[84] A widely signed petition appeared for his removal for gambling and dishonesty, together with other members of the assembly, of which he was the eldest. *Repres. contra Asamblea*, 1–18; *Miscel.*, iii.

[85] J. Bustamante acting for a while. *Amigo Pueb.*, July 8, 12, 15, 1845. Justiniani is mentioned as com.-gen. early in 1845. *Bol. Notic.*, Feb. 13, March 11, 1845.

erel Paredes at the close of the year, but the general succeeded in gaining possession of the power, one result being the installation of Irigoyen in Trias' place. In Durango, the troops resolved to proclaim Paredes, and Heredia took advantage of it to gain control; but García Conde made a resolute stand at the head of the militia, and persuaded the governor to join with him in submitting to the new president, whereupon order was restored.

CHAPTER XXIII.

LATER HISTORY OF CHIHUAHUA AND DURANGO.

1843–1888.

PREPARATIONS FOR WAR WITH THE UNITED STATES—VIDAL DEFEATED BY DONIPHAN—BATTLE OF SACRAMENTO—DONIPHAN OCCUPIES CHIHUAHUA—HE MARCHES TO SALTILLO—SIEGE AND FALL OF ROSALES—FRONTIER DEFENCE—FAILURE OF MILITARY COLONIES—INDIAN RAIDS AND SCALP HUNTING—A COALITION OF STATES—SALE OF THE MESILLA VALLEY—PLAN OF AYUTLA ADOPTED—CAJEN INVADES CHIHUAHUA AND DURANGO—VICTORY OF THE LIBERALS—ENTRY OF THE FRENCH—JUAREZ FLEES TO CHIHUAHUA—BRINCOURT OCCUPIES THE CITY—DEPARTURE OF THE INVADERS—DURANGO OPPOSES THE JUARISTAS—MURDER OF PATOM—REVOLUTION OF PORFIRIO DIAZ—LERDISTA MOVEMENTS—SIERRA MOJADA TERRITORY FORMED—SUPPRESSION OF INDIAN RAIDS.

A CAUSE for the comparative lull in political strife in these provinces, as contrasted with the agitation in the republic generally, lay in the relations with the northern republic, which since 1841 had become strained. In 1843 the prospect of war was entertained, and the government began to give serious attention to frontier defences, a measure which appeals for protection against savages, had failed to evoke. Arms were sent with which to increase the the efficiency of the presidios and to equip the militia, and a regiment of defensores de la Frontera was ordered to be organized in each of the three frontier divisions.[1] The people joined enthusiastically in the defence preparations, and aided in sending 500 men to

[1] To consist of light cavalry, in four escuadrones of two companies each, with a force of 214 men and 42 officers, to cost $160,603 a year. Additional companies were granted to the east and west provinces and to Tamaulipas. Details in *Mex. Mem. Guer.*, 1844, docs. 3, 22-4. The expenses were to receive preference at the treasury. *Palacio Leyes*, 1844-46, 19. The three frontier divisions were Sonora and Sinaloa, Chihuahua and Durango, Coahuila and Texas.

New Mexico, against the expected invasion.[2] They even submitted for a while to the interruption of the overland caravan with the United States, sprung up of late years with great advantage to these settlements, so remote from the market centres of the republic.[3]

As the prospects of war increased, troops were ordered into these central sections of the frontier,[4] modified by subsequent operations.[5] Governor Irigoyen not displaying a zeal commensurate with the eagerness of the ascendant war party, was forced to resign in favor of the energetic Trias, who stood conspicuous for anti-American sentiments. The change was opportune, for he gave a decided impulse to preparations, by seeking a loan among his people,[6] with which to equip and organize the numerous volunteers.[7] This self-reliance was the more needful as the promised aid from the republic diminished to a small contribution of arms, and a few troops from Zacatecas and Durango, brought by the little esteemed Heredia.[8] In the latter department equal zeal was exhibited, with a mustering of some 3,000 volunteers.

After the invasion of New Mexico by the United States troops, a corps of 12,000 men was sent to the

[2] Of whom 300 remained. *Bustamante, Hist. Santa Anna,* MS., iii. 46. Specimens of the alarm notices may be consulted in *Constitucional,* April 23, 1844.

[3] Yet in March 1844 the frontier custom-houses were declared open again. *Dublan* and *Lozano, Leg. Mex.*, iv. 752–3.

[4] Filisola was first appointed commander of forces in Zacatecas. Durango and Chihuahua, strengthened with 1,000 men from San Luis Potosí, bringing ten battery pieces. The national guards could in case of need be called upon to serve outside of their respective states. Text in *Escudero, Mem. Chih.*, 45; *Pap. Var.*, lxxxvii. pt 13.

[5] On July 11th the Chihuahua assembly decreed the raising of 6000 men. *Sonorense,* Aug. 7, 1846. In Guadalupe 60 of the leading citizens joined as volunteers. *Restaurador,* Aug. 11, 1846.

[6] Subsequently a forced loan was assessed among the towns. *Iris Esp.*, Feb. 13, 1847.

[7] Wislizenus, *Tour,* 48, adds that a cannon foundry was erected.

[8] Only 1,000 muskets were sent. *Apuntes Guerra,* 139–40. In estimating for the republican war fund, the bishop of Durango was assessed $80,000. *Mex. Col. Ley.*, 1844–46,537, 544. *Monit. Constit.*, April 22, 1845; *Mem. Hist.*, Jan. 26, 1846. Col. Cuilty left Durango on Nov. 27th for Chihuahua with 500 men and 4 guns. *Iris Esp.*, Dec. 12, 1846.

frontier to check their[9] advance into Chihuahua, Lieutenant-colonel Vidal[10] being in command. Eager to meet the enemy, this body passed beyond El Paso, and A. Ponce, who had been sent forward

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with 500 cavalry, 70 infantry, and a howitzer,[11] came December 25th, suddenly upon the enemy carelessly

[9] To reconquer New Mexico, says Bustamante. *Mem. Hist.*, v. 241.

[10] Col Cuilty of Durango having fallen sick.

[11] Americans place the detachment at from 1,100 to 1,220, including militia. *U. S. Gov. Doc.*, cong. 30, sess. 1, *H. Ex. Doc.*, i. 498; and Bustamante, *Mem Hist.*, vi. 27, implies the same.

encamped at Brazitos.[12] This formed a main body of 500 men under Colonel Doniphan, who had been ordered to proceed from Santa Fé to Chihuahua, to reinforce Wool's column, which was expected to be in possession of that town.[13] So complete was the surprise that the Americans had not time to saddle and mount their horses. But Ponce lost his opportunity by wasting time in drawing out his force in formal battle array, which being carefully completed, he sent in a black flag with a summons to surrender, the alternative being an attack without quarter. The Americans, however, had recovered from their confusion, had seized their arms, and formed in line. Doniphan's answer was an emphatic invitation to charge,[14] whereupon the Mexicans bore down upon the enemy, delivering a noisy but ineffectual fire at long range. After three volleys, the cavalry, with Ponce at its head, charged, but when within range the Americans, who had hitherto withheld their fire, began a deadly rifle fire which threw the enemy into great disorder. Doniphan's rear column now appeared hurrying forward, and the repulse was converted into full flight, the Mexicans abandoning their howitzer, and leaving about two score dead on the field.[15] Vidal retreated to Chihuahua, and on the 27th the enemy occupied El Paso.

Learning that Wool had not advanced into Chihuahua, Doniphan remained for some weeks at the latter place, awaiting the arrival of his cannon, which came up early in February 1847, to the number of six pieces. On the 8th of that month he resumed his

[12] Twenty miles from El Paso, on the Rio Bravo.

[13] See *Hist. Mex.*, v. 405, et seq., this series.

[14] He writes in his report: 'The reply was more abrupt than decorous—to charge and be damned.' Alex. Wm. Doniphan was a lawyer of Missouri, and long a brigadier of militia, about 39 years old, and upward of six feet in height. Biography in *Hughes' Doniphan's Exped.*, 13–20. He had been left in command at Santa Fé on Kearney's departure for California. When Col. Price came to relieve him, he first compelled the turbulent Navajos to conclude a treaty and then marched toward Chihuahua.

[15] Doniphan places their dead at 73, and the wounded at 150. His own loss was one killed and 7 slightly wounded. *U. S. Gov. Doc.*, *ut sup.*, 498.

march, his force now numbering 924 effective men, chiefly Missourians. Under its escort was a train of 315 wagons of the long delayed trade caravan for Chihuahua. Thus hampered, Doniphan's march was slow along the arid route, affording the Chihuahuans ample time to prepare for defence. Twenty miles north of the capital the mountain ranges on the east and west unite by a series of hills, through which the pass of Sacramento affords an opening for the road to El Paso. Two eminences, the Cerro del Sacramento on the west, and another northeast of it, command the entrance. Here Comandante-General Heredia, in accord with the governor, took his stand against the invaders, sustained by a force of about 2,000 well-armed men,[16] and protected by a system of redoubts[17] with ten pieces of artillery.

On the 28th of February the Americans were seen approaching. The strength of Doniphan's force was well known, and so confident were the Chihuahuans of destroying it, that preparations were made in the city to celebrate the expected triumph.[18] But of what avail of enthusiasm without efficiency against the fatal rifles of the enemy and his well served artillery? A slight reconnoissance revealed to Doniphan that the system of redoubts could be readily turned on the west. On arriving, therefore, within a favorable distance he suddenly diverged to the right and gained an elevated plateau.[19] Recognizing their blunder the

[16] In *Apuntes Guerra*, 143–5, are given some details with which Roa Barcena, *Recuerdos*, 125, Bustamante, *Invasion*, ii. 105–6, and Mansfield, *Mex. War*, 105, nearly agree. Doniphan, in the report previously quoted, p. 501, says: 'The force of the enemy was 1,200 cavalry from Durango and Chihuahua with the Vera Cruz dragoons, 1,200 infantry from Chihuahua, 300 artillerists, and 1,420 rancheros badly armed with lassoes, lances, and machetoes, or corn-knives;' making a total of 4,120 men. The *Sonorense*, Mar. 25, 1847, enumerates 2,100, and understands that 2,500 will be massed for the fight. *Iris, Esp.*, Mar. 20, 1847. Heredia was assisted in the command by Conde, Trias, Justiniani, and Ugarte.

[17] Doniphan gives the number at 27.

[18] *Apuntes, Guerra*, 145, 149. Brooks, *Hist.*, 274, relates that cords had been prepared with which to tie Doniphan and his men and send them to Mexico.

[19] 'Spoiling our plans,' exclaims Bustamante, in a tone as if expecting

Mexicans endeavored to counteract the movement by advancing their cavalry. The movement was not effected with sufficient promptness, for the enemy unlimbered their guns and opened so destructive a fire upon the men that, unaccustomed to artillery, they hastily fell back behind the entrenchments. The Americans continued to advance, and planted two twelve-pound howitzers, well supported by cavalry, against the line. The fire from these pieces was very effective, while the Mexican artillery was rendered almost useless through a misunderstood order for moving a portion of it to the Cerro del Sacramento.[20] As they came to close range the Missourians dismounted and plied their rifles with unerring aim. Redoubt after redoubt was gained; the eastern height, cannonaded in reverse by the six-pounders, was soon carried; and the battery on the Cerro del Sacramento, which, during the engagement maintained a harmless fire, was taken by assault. The Mexicans fled in every direction, leaving on the ground 300 killed and about the same number wounded. Forty prisoners, ten pieces of artillery, and a large quantity of stores fell into the hands of the victors, who acknowledged the loss of two men, besides a few wounded.[21]

Trias retired with the authorities and remnants of the army to Parral, leaving Doniphan an undisputed

the enemy to walk straight into the side trap set for them. *Invasion*, ii. 106–7.

[20] All the pieces in the redoubts were hurriedly thrown out of battery and put in motion toward the Cerro del Sacramento, while the infantry actually began to move in the same direction. Though Heredia endeavored to correct the mistake, it proved fatal; no effort could allay the confusion.

[21] Only one fell on the field. *U. S. Gov. Doc.*, cong. 30, sess. 1, *H. Ex. Doc.*, i. 501, 502–13; *Id.*, sess. 2, 76–7, 113–36, with supplementary reports. Hughes, *Doniphan's Exped.*, 313–15, adds to the capture $6,000 in money, 50,000 sheep, etc. See also *Furber's Volunteer*, 446–52; *Edwards' Campaign*, 17–184; *Hobbs' Wild Life*, 139–57; *Patton, Hist. U. S.*, 741–3; *Willard's Last Leaves*, 70–6; *Peterson's Mil. Heroes*, 70; *Ramsey's Other Side*, 167–78; *Niles' Reg.*, lxxii. 102, 144, 171–5; *Frost's Pict. Hist. Mex.*, 423–9; *Id., Mex. War*, 220. Bustamante ascribes the defeat to the incompetence of the leaders, so well known in Mexico that defeat was predicted. *Invasion*, ii. 107–8. In this MS. of this work he expresses unutterable shame over the affair. *Coutts' Diary*, 37; *Id.*, cong. 84–6; *Ripley, War Mex.*, i. 458–69.

entry into Chihuahua.[22] The position of the latter was somewhat embarrassing: in the midst of a hostile country, several hundred miles distant from other sections of the army, his men composed of volunteers unfit for garrison duty, without clothes or pay, and with term nearly expired. Many interests urged him to remain, yet he had orders to join Wool. Hearing that the latter was at Saltillo, a message was despatched, March 26th, to obtain his instructions. These were to proceed to that point. On April 25th, accordingly, Doniphan set out by way of Mapimi and Parras, and reached Saltillo on May 22d.[23]

After the departure of the Americans, affairs resumed their course, under the combined efforts of governor and assemblymen, who had already joined those of other departments in favor of restoration of the federal constitution, now that the weakness of the supreme government afforded opportunity,[24] and for staying the seizure of mortmain property for war purposes. The appeal against this proceeding came from Durango, which had shown greater respect for ecclesiastical property than the sister state.[25] With the progress of the war, and the prospect of another inva-

[22] Strict orders were issued for maintaining discipline and protecting property. *Hobbs' Wild Life*, 132. The citizens eagerly welcomed the trade caravan, and many looked upon the American entry as liberation from Indian wars and exactions. *Bustamante, Invasion*, ii. 108. Formal possession was taken on March 1st, in the name of the United States.

[23] Suffering much hardship from dust and scorpions and lack of water. Not far from Parras, Capt. Reid intercepted and defeated a band of 65 Comanche raiders, with a loss to them of 17 men, and the recovery of 9 captives and 1,000 head of animals. *Brooks' Hist.*, 281; *Coutts' Cong.*, 87–8. The people of Parras voted thanks. The regiment was sent on to Monterey, and ordered home, arriving at New Orleans on June 15th, after making a circuit of 4,000 miles within 12 months. *Santa Fé, Cong.*, 35–7; *Hughes' Doniphan's Exped.*, 367–70. Doniphan was voted a sword by the congress. *Cong. Globe*, 1847–8, 327, 337, 433, 459; *Brackett's U. S. Cavalry*, 104–7. Parkman, *Col. Trail*, 415–17, praises the order and efficiency of the volunteers. And so in *U. S. Gov. Doc., ubi sup.*, 54–5, 495–513.

[24] The representative in the congress had, in Jan. 1847, been instructed to advocate a reform of the 1824 organic law, and a number of changes beneficial to the state. Consult *Escudero, Mem. Chih.*, 73–4. Escudero, as a member of the congress, protested against the seizure of mortmain property for war purposes; this should be made to contribute only its share.

[25] The governor, indeed, had refused to publish the decree for seizing mortmain estates. *Bustamante, Mem. Hist.*, MS., vi. 57.

sion, preparations for defence were resumed,[26] the presidio companies being reduced to the character of militia. News of peace negotiations tended to abate these efforts; then came suddenly the announcement of General Price's approach with a large force.[27] A messenger was sent with a flag of truce to the Sacramento pass to protest against the advance, on the ground that peace had already been concluded. Price regarded this as a mere subterfuge, and pushed forward, whereupon Trias retreated with a few hundred men, chiefly militia.[28] The American van entered Chihuahua March 7th, and hastened on the following day in pursuit, only to find Trias strongly entrenched at Rosales. While waiting for the arrival of the remaining troops, Price invested the place, and opened negotiations for surrender. On the 16th, the American general was in condition to present his ultimatum. Trias having received reënforcements, and made good use of the interval for strengthening his position, declined to entertain it, whereupon fire was opened upon his camp with six pieces of artillery. The governor responded with great spirit, and directed, moreover, such an effective cavalry charge against the enemy's rear as to compel a change of front and a withdrawal of the pieces. This success proved only momentary, however, as the horsemen were quickly dispersed, and the siege operations resumed. Toward sunset Price ordered an assault. Preceded by a well-directed volley, the Americans penetrated the outer lines, and forced their way to the plaza. Seeing that nothing more could be done, Trias surrendered. He could do

[26] *Decreto Guerra*, in *Pap. Var.*, xcix.; *Pinart, Doc. Son.*, iv. 61; *Mex. Col. Ley.*, 1847, 265. A quarrel rose between the governor and comandante general, Arlegui, of Durango, concerning the right to control the militia. *Razonador*, Aug. 21, 1847; *Democrata* and *Sonorense*, July 2, 1847; *Correo Nac.*, Oct. 26, 1847, Jan. 29, 1848.

[27] Price set out from Santa Fé on Feb. 8th with a comp. of Missouri horse for El Paso, where the concentration had been ordered of three comps U. S. dragoons, six comps of Missouri horse, two comps Miss. infantry, Walker's three comps of Santa Fé horse, and one of light artillery. *U. S. Gov. Doc.*, cong. 30, sess. 2; *H. Ex. Doc.*, i., pt i., 113–15.

[28] *Apuntes Guerra*, 399, gives him some 400 men and eight pieces.

this without hesitation, for his men had fought with a determination that shed a redeeming lustre over former encounters, even beyond the limits of Chihuahua. This was the closing battle of the war.[29]

The Americans remained in occupation for about three months before the official confirmation of peace called them away. Their presence served to rouse anew the fear of a possible cession of the state, against which repeated protests had been made.[30] Then followed apprehensions that the approach of the neighboring republic, to the Rio Bravo, would result in it driving the hostile Indians into Chihuahua. The supreme government had relieved its conscience on these points by a clause in the treaty, and might have troubled itself little more about the danger incurred by the settlers. But, a formidable power having now stepped across the intervening space, the safety of the republic became concerned, and demanded consideration.

The result was a decree of July 19, 1848, for establishing eighteen military colonies along the entire frontier, to serve in lieu of presidios as nuclei for civil settlements, and consequently as an ever growing bulwark against foreign invasion as well as savage irruptions.[31]

[29] Needless, since peace had been arranged, although Price did not think it prudent to credit the report. The Americans acknowledged the loss of 3 killed and 19 wounded, while placing the Mexican killed alone at 238. *U. S. Gov. Doc., ut sup.*, 113–36; *Ripley's War Mex.*, ii. 611–13. The Mexican garrison was estimated at 700 men, with 11 guns, independent of the column which attacked in the rear; the besiegers must have numbered at least 550. Outrages are, as usual, charged to the invaders. *Mex. Mem. Rel.*, 1875, app. i., 51–2. Price shared with Doniphan the honor of receiving a sword from the congress. *Cong. Globe*, 1847–8, 327, 337, 433, 459.

[30] At the close of 1847. *Razonador*, Dec. 4, 1847; *Arco Iris.*, Dec. 26, 1847. *Escudero, Mem. Chih.*, 96–7.

[31] To this end the northern line was divided into three sections: Oriente, Chihuahua, and Occidente, the first embracing Coahuila and Tamaulipas; the second, Chihuahua alone; and the Occidente, Sonora, and Lower California. Chihuahua and Sonora were to receive five colonies each, the peninsula one and the Oriente seven, each with a fair proportion of the total of 2426 troops assigned, of which 1751 cavalry, the annual pay list of which was placed at $717,572. After six years' service the recruits might retire as civil settlers on the land to which their term entitled them. Further details in *Hist. Mex.*, v. 573 *et seq.*, this series.

Owing to the chronic lack of funds, the colonies did not receive the necessary impulse either in men, settlers, or implements, the report for 1851 indicated less than half the stipulated force, with only a portion of the settlements in a fair way of development.[32] Subsequent revolutions diverted attention from the frontier, and the colonies declined to a shadow within a few years. In 1868 orders were issued for their revival, but no steps were taken to raise the necessary funds. Lately a committee reported adversely on such colonies, combining military and agricultural duties—and recommended instead the erection of garrisoned posts wherever needful.[33] No haste was shown to act upon the suggestion, partly because Indian raids, the main cause for the necessity of such method of defence, had been practically checked.

As a partial substitute for regular troops, reduced under the economic reconstruction of 1848, was the militia, now reörganized and made to embrace every able Mexican between the age of 18 and 55, with the requirement for six per mille of the population to serve in the mobile division, liable to be called beyond the state for short periods.[34] This laudable measure met with a serious check, from the lack of public spirit among the classes from which the best example and support should have come. Indolence and race feeling are too strong for certain elements to overcome

[32] The Oriente line being less exposed to Indians, the most easterly colonies were not founded, but those of Chihuahua and the Occidente were either definitely or provisionally established, the former by 334 soldiers, with 38 officers, and 322 settlers, possessing 78 houses, 18 wagons, and 100 yokes of oxen; the last by 345 soldiers, 38 officers, and 200 settlers, with only 4 houses, 4 wagons and 50 yokes. *Mex. Mem. Guer.*, 1851, doc. 3–5. See also references in *Hist. Mex.*, v. 574, this series. The report for 1852 gave the Chihuahua colonies 347 men, with 95 horses. *Mex. Mem. Guer.*, 1882, 5 doc. 2.

[33] This was still under consideration in 1882–3. *Mex. Mem. Guer.*, 1881, 136, 1882, p. ii.

[34] For particulars, see *Hist. Mex.*, v. 571–2, this series. In the northern states a special mobile force of 34 companies was decreed exclusively for Indian warfare, of which eight were for Durango, and 4 each for Chihuahua and Sonora, to be enrolled and equipped by the states at federal expense, the cost of each company being calculated at $18,252 a year, with $1575 for equipment. Tamaulipas, Nuevo Leon and Zacatecas had 4 comps each, Coahuila 6. *Mex. Legis.*, 1849, 218–22.

their inertia or repugnance to stand side by side with the humble Indian. Hence a disgraceful shirking of duty, facilitated by criminally indulgent officials.[35]

During the American invasion savage inroads were less frequent, but in 1848 they were resumed to such an extent that the Mexican authorities were influenced to frame the military colony project, appropriating $200,000 to aid the states in this campaign,[36] and appointing a committee of congressmen from the invaded region to report on the best measures to be adopted for joint action against the tribes.[37] Meanwhile several of the states, including Chihuahua and Durango, had recourse to scalp-hunting, assisted by American riflemen; but notwithstanding the stimulating prize of $200 for each token,[38] the hunters failed to obtain much profit, or leave any marked impression on the savages, while from the southern states not so afflicted, came a howl of indignation against such blood contracts.[39] But almost any measure was permissible under circumstances so distressing, when a large part of Chihuahua lay desolate, and the eastern half of Durango was overrun, and thousands of families being ruined, and thousands more in daily apprehension of a similar fate.[40]

[35] Rubi in *Sin. Mem. Gob.*, 10, 27, shows that the guardia nacional of Sinaloa in 1867 was 7,387, with 11,835 exempts, who to a great extent avoided paying exemption fees by pretending absence, etc. For amount see also *Pinart, Doc. Son.*, i. 228. Comments in *Chih. Mem. Gob.*, 1850, 8–10.

[36] *Mex. Col. Ley.*, 1848, 458–9; *Correo, Nac.*, Oct. 1, 1848.

[37] Many views were submitted. *Plan para defensa de los Estados Invadidos*, 1–28; *Dictamen, Id.*, 1–20; *Pap. Var.*, lxxxix. The decree calling this committee is dated Apr. 24, 1849. The government claimed the right to suppress the comandancias generals, and dispose of 4,000 guardias nacionales. *Mex. Legis.*, 1849, 80 2.

[38] Or $250 for each warrior brought in alive. *Universal*, June 21, 1849. Several contracts were made with Americans and Mexicans, but they could not be relied upon when most required, even after advances of money and arms had been made. *Chih. Mem. Gob.*, 1850, 11–13. Kirker lost so many of his men as to fail; Glanton massacred a friendly tribe. *Mex. Scraps*, i. 15; *Frochel, Cent. Amer.*, 350; *Sonorense*, Aug. 22, Sept. 14, 1849; several sharp conflicts occurred between the hunters and the Indians. *Universal*, Sept. 18, Oct. 4, 9, 26, 1849: the former rescuing a number of captives. They had some trouble in obtaining payment for their services. *Polynesian*, vii. 152; vi. 139.

[39] See *Hist. Mex.*, v. 579, this series. A law of Durango for safely disposing of Indian captives was annulled by the congress. *Correo, Nac.*, Sept. 23, 1848.

[40] Scalp-hunting continued for many years, even after the French ex-

With the aid of the government a large number of troops opened the campaign of 1850, with the resolve to grant no peace to Indians coming from the United States.[41] The chief operation was directed toward Laguna de Jaco, the savages yielding, as usual, to the pressure, either by evacuating the country, or by submission on the part of those claiming it as their home. Watchfulness, with regard to the observance of agreements, was trusted to the newly established military colonies, one station being located within the borders of Durango.[42] Political turmoils leaving the states once more to their own devices, a coalition project came into operation; Jalisco, Zacatecas, San Luis Potosí, and Tamaulipas joining by sending in subscriptions. The general government also promised subsidies; but soon this union of states, to which rumor had already ascribed a desire for independence[43] created alarm, and steps were taken to break up the arrangement.[44] One result of this was an increase of raids and devastation, until Chihuahua in 1856 appealed for aid[45] to Durango, although the latter was then writing under the same affliction. Three of her

pulsion in 1867, although the superior governments sought to oppose it. *Chih. Mem. Gob.*, 1850, 6–7. For details of outrages see *Universal*, June, Aug. 11, Sept.–Nov. 1849, Jan.–Nov. 1850. *Hayes' Scraps, Inds*, iii. 11–67. A writer in *Putnam's Mag.*, iv. 415–16, refers to entire valleys devastated. *U. S. Gov. Doc.*, cong. 31, sess. 2, *H. Ex. Doc.*, i. pt ii. 18–67; *Heraldo*, Oct.–Dec. 1848, Jan.–Mar. 1849; *Sonorense*, 1848–50, passim.

[41] *Mex. Mem. Guer.*, 1851, 15–16, doc. 2; *Pinart, Doc. Chih.*, MS., ii. 43.

[42] At Pelayo, at a cost of $25,000. It was hinted that commanders profited by furnishing supplies. *Atalaya* and *Sonorense*, Nov. 3, 1848. Among plans for obtaining and assuring peace is Castañeda's *Plan Defensa*, 1–27. See also *S. F. Pac. News*, Dec. 7, 1850; *Mex. Legis.*, 1849, 80–2; *Arrillaga, Recop.*, 1849, 125–6.

[43] *Dictamen Coalicion; Pap. Var.*, ccvi. pt 4; *Mex. Informe Pesquis.*, 80–1.

[44] Chihuahua deputies objected in Oct. 1852 to the coalition on the ground that it would create another centre of government. *Mex. Mem. Guer.*, 1852, 48–52; *Universal*, Aug.–Dec. 1852. The committee on frontier defences saw no danger or prospect of excesses through contracts, with due supervision. *Mex. Comis. Guer., Dictamen*, i. 3–14; ii. 3–8. Nevertheless the *Centinela*, Sept. 29, 1855, and other journals raised an outcry against the slaughter of peaceable Indians by scalp hunters. *U. S. Ind. Aff.; Joint Com. Rept*, 1867, 328. In Durango a joint stock comp'y was formed to hunt scalps. *Universal*, Oct. 9, 1852. In 1863 Chihuahua paid $500 for a chief's scalp, and $200 for ordinary ones. *Estrella Occid.*, June 5, 1863. This prize was publicly offered in 1867. *Occidental*, Aug. 4, 1869; *U. S. Commerc. Rel.*, 1867–8, 726.

[45] *Diario Avis.*, Jan. 10, 1857; *Eco Nac.*, Jan. 10, 1857.

partidos alone reported at this time 102, 68, and 34 murders respectively, with robberies and ravages in proportion.[46]

The extent of the desolation may be readily understood when it is borne in mind that the district of Papasquiaro, though in the centre of the western half of Durango, was repeatedly visited, and that every scalp secured was at the cost of many lives.[47] The state authorities can hardly be blamed for buying a precarious peace from different tribes, although aware that it would be broken the first opportunity.[48] The ubiquitous robbers took advantage of the disorder to exact their share of the spoils, especially in Durango, appearing disguised as Indians, and more frequently in the safer garb of political guerrillas.[49] Shortly after the American invasion drought and cholera came to swell the evil,[50] while the gold excitement in California lured away a large number of the most desirable citizens.[51]

[46] Cuencame district reported in 1856 68 murders, and the destruction of 52 ranchos; Papasquiaro, 34 murders and 12 ranchos destroyed, while El Oro claimed the greatest suffering. *Nacion*, Nov. 6, 1856; *Estandarte, Nac.*, Feb. 23, 25, Mar. 4, 1857; *Espanol, Sonorense*, and *Eco Nac.*, Mar. 7–9, 1857; *Correo, Esp.*, Feb. 21, 1855; *Froebel's Cent. Amer.*, ii. 214–24, 283–4. This last author gives a harrowing account of the devastation; and alludes to wanton destruction of live stock by Indians, and to mutilated bodies of women and children in revenge for defeats. Consult also *Mex. Scraps*, i. 15; *Alta Cal.*, Oct. 18, 1853; *Von Tempsky, Mitla*, 77–105. In Feb. 1857, 46 persons were killed in a northern district of Durango. *Diario Avis.*, Mar.–May, 1857; *Tiempo*, Aug.–Sept. 1857; *Razon*, Jan. 9, 1858; *Paz*, Jan. 8, 1858.

[47] 'For every fifty soldiers killed but one or two Indians die,' says a foreign writer. *Mex. Scraps*, i. 39. Yet it was boasted that 16 Comanche chiefs had fallen between Sept. 1853 and Feb. 1854. *Eco Esp.*, March 4, 11, April 22, 1854.

[48] A treaty in April 1855, for instance, with a tribe of 288 Apaches was procured for rations to the value of $8,724 annually. *Correo Esp.*, June 9, 1855. 'A criminal and imbecile action,' rails the *Mex. Informe Pesquis.*, 86, for the tribes continued to plunder with greater security.

[49] *Correo Esp.*, Jan. 10, 1853; *Estandarte, Nac.*, Aug. 26, 1857; *Eco Nac.*, *Diario Avis* and *Tiempo*, especially in 1857–8. Yet the term robber is frequently applied by political parties to any opponent.

[50] In Durango the famine gave rise to several riots. *Rivera, Hist. Jal.*, iv. 236, 267; *Voz Mej.*, Feb. 21, 1878. Cholera broke out at Durango in July 1849, and carried off by Sept. 2,498 victims, or fully 50 per cent. of the stricken. *Soc. Mex. Geog., Bol.*, v. 46. Details in *Sonorense* and *Universal*, July–Nov. 1849. Small-pox followed in Nov. *Id.*, Dec. 14, 1850. *Ramirez, Hist. Dur.*, 36.

[51] Exploring expeditions from the U. S. at first tended rather to promote

The frontier provinces had entertained great expectations from the restored federal system under Herrera and Arista, only to be disappointed. The military colonies were allowed to fade away, and the presidios were left in a worse condition than ever. This in itself sufficed to sour loyalty. The revolution in Jalisco, reëstablishing the dictatorship under Santa Anna, found therefore ready endorsement in Durango as well as Chihuahua, where Trias himself gave the signal by deposing the not very popular Governor Cordero[52] in December 1852, and reassuming the gubernatorial power; as did M. Morett, the military chief of Durango.[53] The sale, however, to the United States of Mesilla Valley, to which Chihuahua had a certain claim, turned the current of good-will. When Governor Lane of New Mexico announced his pretensions to that strip of territory, Trias bravely marched to the front with a respectable force, but was obliged to submit to the formal transfer, and to a narrowed limit of state lands.[54]

Both states rallied promptly in favor of the plan of Ayutla, and issued federal constitutions in 1855. That of Durango was threatened with certain modifications, by the claims of Sinaloa and Coahuila, to certain tracts on either side.[55] The ensuing war of reform, so called, in behalf of the new constitution,

this exodus. Col Hays, *Life*, MS., 60–9, sought to open a route by way of Presidio del Norte. U. S. officers explored the Rio Bravo in 1850 for navigation. *Soc. Mex. Geog., Bol.*, iii. 38; *Hayes' Scraps, Ind.*, iii. 324–9; and Lieut Couch made a geographic and botanic tour in 1852–53. *Smithsonian Rept*, 1854, 86–7.

[52] Who had succeeded Trias upon his resignation in 1850. *Universal*, May 10, June 6, July 5, Dec. 9, 1850.

[53] Governor J. M. del Regato being deposed. *Universal*, Dec. 4, 6, 22, 28, Dec. 1852.

[54] The correspondence between the two governors is given in *Universal*, April, May, 1853; *Rivera, Hist. Jal.*, iv. 402–3. Domenech points out that little benefit was derived from the $7,000,000 passed through Santa Anna's hands. *Hist. Mex.*, ii. 262–6. Trias went to the frontier with 500 men and 6 or 8 guns. This second encroachment rankled in the hearts of the citizens, who came to blows more than once, with settled and travelling Americans. *Nacion*, Feb. 12, 1857. *Alta Cal.*, Oct. 18, 1853.

[55] The former claiming Tamazula, the latter the mining region of San Juan. *Pensamiento Nac.*, April 26–30, 1856.

extended throughout the north. Chihuahua suffered less, owing to the wide prevalence of liberal sentiments. The conservative movement of 1858 failed, though L. Zuloaga, a brother of the great leader at Mexico, occupied the state capital, in June of the following year deposing the governor. Two months later, however, he was forced to seek refuge[56] in Durango. There the plan of Tacubaya, one of the conservative reactions against the constitution,[57] had been adopted in April 1858 by General Heredia. He replaced the vacillating J. de la Bárcena[58] as governor, and held out against the liberals till July, when E. Coronado captured the city, assumed the chief magistracy and retaliated upon the clero-conservative faction by imposing heavy contributions.[59]

The contest continued in the interior, aided in part by the fugitive Zuloaga, and in 1859 the conservatives and liberals alternately rose to the summit, signalizing the occupation of the capital and other towns by executions and plunder. Toward the close of the year Cajen entered from Jalisco with a large force. After a brief campaign in Chihuahua, which resulted in a temporary reëstablisment early in 1860 of the conservatives, he advanced upon Durango, routed the liberals under Ortega and Patoni, and took possession of the capital, as governor.[60] Toward mid-

[56] Zuloaga marched from Corralitos at the head of 1000 men and occupied Chihuahua and Parral. He failed to obtain a footing in Sonora. In August his army, partly equipped at his own expense, yielded to an inferior force under Orozco, doubtless because it was liberal at heart. Details in *Diario Avis*, Dec. 1, 1858, June 24, July 23, Sept. 22, 1859, etc.; *Eco Nac.*, Feb. 12, 1858; *Alta Cal.*, June 9, July 16, 1859.

[57] See *Hist. Mex.*, v. 722, et seq., this series.

[58] Elected under the new constitution in June 1857, as successor to Heredia. See vote in *Estandarte Nac.*, July 12, 1857. *Weidner Cerro Mercado*, 3. Bárcena at first declared for the plan and then wavered. He was charged with American sympathies. Heredia created a council and reorganized the court. *Diario Avis.*, Jan. 23, March 6, May 16, 1858; *Eco Nac.*, April 26, May 2, 1858.

[59] See above journals, June–Aug. 1858, passim. *Voz Son.*, Aug. 13, 1858. The bishop was imprisoned for refusing to assist in collecting the $40,000 clerical share of $116,000 forced contribution.

[60] According to *Diario Avis.*, March 13, 21–4, 1860, the defeat at Gallo resulted in the death of 74 liberals and the capture of 134, out of a force placed

summer he found it expedient to seek fresh forces in Chihuahua, in order to meet the gathering liberals. He gained, indeed, a few advantages;[61] but his defeat soon after in Sinaloa, and death by treachery'[62] hastened the triumph of the opposite party.[63] The victors of Durango as well as Chihuahua hastened to clip the wings of clerical power, by enforcing the confiscation of their enormous wealth, as decreed by the president.[64] This measure drove the opposite party to protract the struggle, although with little success, and General Patoni was rewarded for his success by being confirmed, in 1861, in the position he had assumed at Durango as governor,[65] while in Chihuahua General Luis Terrazas was chosen.[66]

Supremacy was not long continued however, for in the following year the French intervention infused fresh spirit into the conservatives. Their first efforts were not encouraging, for the entry of foreign armies stirred the liberals to greater zeal. As the danger increased, the energetic Patoni was invested with the civil as well as military command of the more exposed Durango,[67] and subsequently given control also over the forces in Chihuahua. At the same time a supreme decree of April 1864 proclaimed martial law

at 2000. In combination with S. Ramirez, Cajen overcame the column of P. Hinojosa, killing nearly 400, as he claimed, and taking 150 prisoners, but was in turn checked by M. Campos. This revived the spirits of the liberals. *Estrella Occid.*, July 13, Aug. 3, 1860. Herrera was ordered in from Sinaloa. *Cuadro Sinop.*, 5, in *Vega, Doc.*

[61] Some of his partisans carried banners with the inscription, 'sangre, esterminio y robo.' *Coalicion Chih.*, June 30, 1860.

[62] At the hand of one whom he had spared and befriended. *Opinion Sin.*, and *Estrella Occid.*, Feb. 1, 1861.

[63] Potoni assumed control in Durango. *Herrera, Vindic.*, p. xxxiii.

[64] In Chihuahua, J. E. Muñoz carried out the decree, and applied a portion of the funds to the amortization of copper coinage.

[65] *Buenrostro, Hist. Prim. y Leg.*, cong. 435, 261. B. Silva acted a while in 1862–3; *Vega, Doc.*, i. 85; *Trait d'Union*, Jan. 15, Sept. 23, 1861.

[66] *Id.*, Feb. 16, Nov. 17, 1861. He also had to continue the task of suppressing guerrillas. *Bol. Notic.*, Feb. 14, 1861, *Estrella Occid.*, April 12, 1861. Rivera, *Hist. Jal.*, v. 434, indicates that the guerrillas were growing more numerous, baffling all efforts at suppression.

[67] Partly owing to a revolutionary movement by Col Borrego in the spring of 1863. *Mex. Col. Ley. Doc.*, i. 47.

in this state, and appointed J. J. Casavantes, governor. The legislature objected so strenuously to the removal of their favorite, Terrazas, that Patoni felt bound to march with a force to sustain the president's order. The local authorities yielded, and the commander-in-chief prudently made a partial concession by installing the popular Trias as governor and as his military second.[68]

By this time the French had overrun the central provinces of the republic, and prepared to conquer the north, and drive out the fugitive liberal government then at Saltillo. To this end General L'Hériller advanced with his brigade from Zacatecas into Durango, occupied the state capital on July 3d unmolested, and entrusted the administration to Prefect B. Sarabia, whose efforts for the recognition of Emperor Maximilian met with a most flattering response.[69] Detachments were thereupon sent out to extend possession, a task facilitated by the engagement at Estanzuelas on September 21st, wherein the combined forces of Patoni and other leaders, under direction of Ortega, received a check that compelled them to retreat northward.[70] The supreme government, which in August had been driven from Saltillo into the district of Nazas, was therefore obliged to retreat into Chihuahua. Juarez was received with the most loyal demonstrations by the people, headed by Governor Trias.[71] Chihuahua on October 15th was declared the provisional capital and steps were taken to collect fresh resources and men.[72]

[68] *Mex. Col. Leg.*, 1863, ii. 50–1; *Estrella Occid.*, June 3, July 22, 1864; *Voz Méj.*, Aug. 20, 1864.

[69] Acting governor Mascareñas on July 1st placed the city under martial law, supported by Gen. Ochoa; but Patoni failing to come up, resistance was considered useless. *Estrella Occid.*, and *Period. Imp. Mex.*, Aug.–Sept. 1864, are most complete on campaign operations for their respective sides, during this and the following years. Corona was surprised in July 19th.

[70] Details in *Hist. Mex.*, vi., this series.

[71] He had indignantly rejected a proposal to join the imperialists from Langberg, a Dane, formerly a general in republican service. *Estrella Occid.*, Aug. 12, 1864. He had been equally firm in 1861, when rumors came of confederate advances or invasions. *Trait d'Union*, April 26, Dec. 4, 1861.

[72] *Castro Cuestion Estrangera; Mex. Col. Leg.*, 1863–67, ii. 124–5. In impressing men some outrages were committed. *Id.*, 159–62.

In November the French had penetrated to Rio Florido,[73] but the diversion of troops into Sinaloa prevented them from sustaining the advance. In May 1865 Patoni began to advance, and shortly after Carbajal ventured to besiege Durango.[74] Their hopes were frustrated, however, by the arrival of reënforcements under Brincourt, who moreover had orders to enter Chihuahua, and drive the republican president from this his last state capital. The French moved forward 2,500 strong, pressing back the liberals, and leaving detachments at Rio Florido, Allende, Parral, and Santa Rosalía. The bodies commanded by Ruiz, Aguirre, Villagran, and Ojinaga offered no opposition and the republican authorities fled to El Paso.[75] Brincourt took possession of Chihuahua on August 15th, and appointed T. Zuloaga, prefect.

It would have been easy to continue the march and oblige Juarez to cross the frontier, but fearing a collision with United States troops, Bazaine had ordered the French to return to Durango after advancing not further than a day's march beyond Chihuahua city. Brincourt asked permission to retain 1,000 men, with which the state could readily be held. The orders were repeated, however, and the invaders departed on October 29th. The republican government reöccupied the capital, and conciliated the popular Terrazas by restoring to him the governorship. This had just been vacated by the death of Ojinaga, a valiant general who fell in August while endeavoring to suppress an Indian revolt at Guerrero.[76] Maximilian was deeply incensed on hearing of Brincourt's abandon-

[73] Their cavalry obtained some advantages at Guadalupe, but Quesada approaching, they fell back. *Voz Méj.*, Jan. 28, Mar. 24, 1865. Col Borrego claimed a victory at San Juan del Rio. *Estrella Occid.*, Oct. 14, Dec. 23, 1864.

[74] Marquez de Leon states that he was appointed governor of Durango about this time, and prepared to organize forces. Then Juarez gave the post to Carbajal, and Marquez retired in disgust, objecting to his rival as a robber chief. *Mem. Pol.*, MS., 243–6.

[75] Juarez carried away $400,000, 'sacados de Chihuahua,' says Rivera, *Hist. Jal.*, v. 654.

[76] Ojinaga was collecting contributions there, which gave rise to a tumult in which he was shot. *Voz Méj.*, Dec. 2, 9, 12, 1865.

ment of an expedition on which hopes had been founded of driving Juarez from Mexican soil, and Bazaine ordered 500 men under Billot, to reöccupy the capital, which they did on December 11th.

Juarez returned to El Paso,[77] while his officers fell back to harass the enemy's communications. Aguirre hovered in the desert to the south-east, and Villagran created enthusiasm on the western side by the defeat of a French detachment at Parral.[78] This served to sustain the ardor of the liberals, and when the menacing attitude of the United States induced the French to concentrate their forces for retreat, the patriotic spirit cast aside the last restraint to join in pursuit. No sooner had the foreigners turned southward, early in February 1866, than the republicans fell upon the scanty conservative columns left in possession of Chihuahua and other leading points. In March the imperialists were compelled to evacuate the capital,[79] and although their remnants still struggled awhile, they yielded to the pressure, and followed close upon their foreign allies, who slowly fell back from one point to another.[80]

In the middle of 1866 the liberals were able to declare Chihuahua free of enemies, and now joined their brethren of Durango, who had maintained the struggle under circumstances even more adverse. Corona, from Sinaloa, assisted Patoni and other leaders to harass the imperialists, and even ventured to threaten the capital, capturing in January 1866, the important base at Nazas, after defeating Aymar.[81]

[77] He was greeted with festivities, which displayed at least a cheering devotion to his cause. *Legac. Mex., Circul.*, 443–4, 455–7.

[78] On Aug. 8th. It consisted of 66 men under Lieut Pyot, who fought desperately, and lost 17 killed and 24 prisoners. The Juarists lost Gen. Meoqui. *Iglesias Interv.*, iii. 466. Billot inflicted some blows, however, and Gomez and Casabantes were routed in Jan. 1866, near Guerrero. *Diario Imp.*, Feb. 22, Mar. 8, 1866.

[79] Half the garrison pronouncing for the liberals. *Voz Méj.*, Mar. 31, May 5, 24, 1866, estimates its total at 700; a sortie shortly before had proved disastrous. *Diario Imp.*, of Mar. 20, 1866, still claims a victory at the close of Feb., for Carranco.

[80] The last position abandoned by the French in Chihuahua was Parral.

[81] Who fell in the battle. *Voz Méj.*, Feb. 1, 1866. For fuller details on the northern campaign see *Hist. Mex.*, vi., this series.

In July the French abandoned the Nazas line, and on November 15th the city of Durango was evacuated, every point beyond having been seized by the republicans. On the 17th Colonel Perez entered the city, and in the following month Juarez arrived from Chihuahua, making a triumphal entry on the day after Christmas.[82] At the general election of 1867, this resolute supporter of the liberal cause received an overwhelming majority of votes, especially in Chihuahua. Durango showed less devotion, partly because of her stronger clerical faction, and partly through the influence of Patoni, who favored General Ortega's aspirations to the presidency, after Juarez's term expired in 1865. To avert trouble during the heat of election, Patoni and Ortega were arrested. Nevertheless party spirit displayed itself on more than one occasion,[83] but was counteracted by Governor Zárate and his successor, F. G. Palacio.[84] Luis Terrazas was confirmed as ruler by the people of Chihuahua.[85]

The Juarist administration received another blow in this quarter by its supposed implication in the murder of Patoni by the military chief, General Canto, in August 1868.[86] The growth of this feeling was revealed in the following year, by an outbreak of so widespread a nature, that the government prepared to suspend the constitutional guarantees.[87] Hostili-

[82] Durango became the national capital for a while. *Dublan* and *Lozano, Leg. Mex.*, ix. 750.

[83] Indications of a pronunciamento by T. Borrego, led to his arrest at Durango on Nov. 1, 1867; yet his followers made an attack on the government officers. *Estrella, Occid.*, Dec. 13, 1867; *Diario, Ofic.*, Nov. 28, 1867. They were punished for it. *Estado, Sin.*, Nov. 15, 1867.

[84] M. Balda, J. M. Percyra and Olvera acted in 1868–69. *Gallardo, Cuadro* 6–7.

[85] *Ib.*, see also *Derecho*, iv. 38, for judges.

[86] Who caused him to be dragged from his house at Durango, and summarily shot at Analco on Aug. 18. *Correo, Pac.*, Aug. 26, 1868; *Estrella Occid.*, Sept. 1, Oct. 2, 1868. Canto was arraigned and his command transferred to D. Guerra. He was condemned to death, but the sentence was changed to ten years easy confinement. Details in *Regen. Sin.*, Aug. 21, 25, Sept. 11, 1868; *Nayarit, Pueblos del*, 12; *Derecho*, i. 12, 57; ii. 59, 336–7; *Mex. Recop.*, iii. 200–8, 343–4; *Diario, Ofic.*, Aug. 24, 1868, Nov. 5, 1869.

[87] To which the governor objected. *Monit. Rep.*, June 16, 1869. Other details in *Occidental*, Mar.–May, 1869. The conservative feeling was dis-

ties were maintained during the following years, until the reëlection of Juarez in 1871, which, being declared to be fraudulent, gave rise to pronunciamientos in favor of the revolution started by Porfirio Diaz, the popular candidate. The movement proved successful at first, under the leadership of Donato Guerra, who overran Durango and gained the mastery in Chihuahua; but the death of Juarez in the middle of 1872 caused adherents to fall off; Diaz relinquished his aim, and peace was restored.[88] In Durango the succeeding period of repose was inaugurated by Governor Carrillo; and in Chihuahua, where Terrazas had resigned in 1872, A. Ochoa assumed the control.[89]

The elections of 1875 again afforded just cause for the Porfiristas to renew hostilities.[90] The well-known leader Trias headed this new movement at Chihuahua in June 1876, and held his ground till September, when the government partly gained possession of the capital and captured Donato Guerra, leader of the revolution in the north, who was seeking to join his brothers in arms, having been driven from Sinaloa.[91] In Durango also the Porfiristas succeeded no better at first; but in November 1876, a diversion was made by Carrillo, who proclaimed Iglesias president, and himself governor of the state. The ousted General Fuero, successor to Hernandez y Marin, recovered the command, however, but was obliged to sub-

played by the persecution of protestants by mobs. *Regen. Sin.*, June 19, 1869. The revolution was still active in 1870. *Diario Ofic.*, June 13, 1870; *Constit.*, Mar. 29, 1868.

[88] See *Hist. Mex.*, vi., this series.

[89] He entered upon office in Nov. 1873. *Federal*, Nov. 18, 1873. Carrillo did so a year earlier. *Fenix*, Oct. 24, 1872. Terrazas had been urging electoral reforms. *Mex. Mem. Gob.*, 1871, app. v. 62; *Monit. Rep.*, May 18, 1872.

[90] The Chihuahua election was brought before congress as fraudulent. *Diar. Debates*, cong. 7, iv. 10, 38; cong. 8, i. 46–56; cong. 9, i. 766–71. In October numerous points were occupied by rebels, yet the government claimed shortly after to have practically mastered the situation. *Diario Ofic.*, Nov. 25, 1875.

[91] Guerra is said to have been killed by the guard at the camp at Avalos where he was imprisoned, during an attack made on it by Trias. *Diario Ofic.*, Sept. 29, Oct. 1, Nov. 7, 1876; June 20, 1878. The capital fell Sept. 18. *Diar. Debates, Constit.*, 8, iii. 116–19. An American banker complained that 13 forced loans had been exacted from him within six months. *Diario Ofic.*, March 17–18, 1879.

mit in the following January to the victorious Porfirio Diaz; whereupon the people elected General J. M. Flores ruler. Caamaño of Chihuahua had also to yield, and Trias was rewarded for his staunch though not very successful struggle by election to the vacated post.[92] The northern states had still to endure a final though feeble attempt made by the expiring Lerdist party, manœuvred from their retreat in the United States. It resulted in a little more, so far as Chihuahua was concerned, than a temporary armed occupation of El Paso, in the middle of 1877.[93] Partial failures of crops also supervened during the following years in both states, creating such distress that a serious riot took place at Durango.[94]

The opposition availed itself of the feeling for political purposes, Trias being accused of misdirection of funds and other maladministration, and Flores of holding office in violation of certain requirements of the state constitution. The result was revolution, headed in Chihuahua by G. Casavantes, who in August 1879, from Guerrero, proclaimed the removal of Trias, and succeeded, after a brief campaign, in gaining possession of the capital. The approach by request of federal troops under Treviño, brought about his ready surrender; yet he achieved his aim, for Trias was impeached and deposed. Terrazas was called in November to replace him,[95] and ruled till 1884, when General Fuero received the popular vote. The leader in Durango, J. Valdespino, succeeded in

[92] Muñoz holding the office prior to election. *Voz Mej.*, March 24, Apr. 14, June 18, 1877; *Diar. Debates*, cong. 8, i. 28.

[93] By Machorro. *Diario Offic.*, June 18, 20, July 4, 1878; *Revista Cat.*, 1877, 302.

[94] In which a few of the mob were shot. The legislature offered relief by reducing the price of corn from six to two cents per pound. *Voz Méj.*, May 16, Aug. 27, 1878. The supreme government granted aid in money, reduction of duties, and purchase of grain and seed. *Mex. Recop.*, xxvii. 815–17; *Diar. Debates*, cong. 9, iv. 397; cong. 10, iii. 868. Aid was also given to sufferers from floods.

[95] Reports of plans and movements in *Mex. Mem. Gob.*, 1879–80, 27–8, 83–6; *Voz Méj.*, Sept. 23, Oct. 7, 12, Dec. 5, 21, 1879; *Diario Offc.*, Oct. 10, Nov. 5, 1879. Observations of U. S. counsel in *U. S. Gov. Doc.*, cong. 46, sess. 2; *H. Ex. Doc.*, xxv., pt i. 427. *Id.*, sess. 3, i., pt i., 722–4. Casavantes met with several reverses before he gained the capital and captured Trias.

stirring a more troublesome outbreak, which after its practical suppression early in 1880, with the aid of Treviño, gave more than one disturbing throe,[96] until the assumption of office by the able F. Gomez del Palacio brought a lull.[97]

Meanwhile disputes had arisen between the two states, as well as with Coahuila concerning border tracts. In the latter case water rights proved a feature of the quarrel which manifested itself in virtual invasion, and obliged the interference of federal troops.[98] In order to settle the trouble, which as regards Sierra Mojada, with its late gold development, affected also Chihuahua, it was proposed to form here a federal territory. Durango's claims received such support, however, as to overrule this plan. Finally an amicable arrangement was effected.[99]

Under the more energetic efforts of the government of Diaz, and the coöperation of the United States, raids by savages were for the most part abated. The United States proposed more than once a joint campaign against hostile Indians, as well as an agreement to the effect that troops of both republics might cross the boundaries in pursuit. This course Mexico hesitated to adopt, as the object of the northern republic was more the chastisement of Mexican cattle-stealers than Indian marauders. The government could not allow foreigners to deal with her

[96] It had not the same success as the Casavante movement. The legislature in 1878 rejected a proposed impeachment of Flores. *Voz Mej.*, Oct. 26, 1878. Details of movements in *Diario Ofic.*, Oct. 8–15, 22, Nov. 10, 29, 1879, Aug. 18, 31, 1880. Plan and official comments in *Mex. Mem. Gob.*, 1879–80, 28–9, 88–91.

[97] In 1883 Flores assailed Palacio's administration, to which end *El Trabuco* journal was issued on Nov. 29, 1883. He succeeded in 1885 to the government. Meanwhile Zubiria had acted temporarily from Nov. 1882 till Feb. 1883, and during 1884 Pereyra, Flores and Parra administered the state.

[98] The Rio Nazas question, or that of Santa Rosa dam, so-called, was apparently settled in 1878, *Diario Ofic.*, July 2, 10, 1878, but rose again in 1879, also in connection with Sierra Mojada mines, and continued to agitate the people for several years. *Id.*, Sep. 10, 1879, June 10, 14, July 8, 1881. *Mex. Mem. Guer.*, 1883, 29–31.

[99] Chihuahua protested in 1880 against the favor shown to Durango. *Voz Mej.*, May 27, 1880, Mar. 8, 1879. *Diario Ofic.*, Oct. 13, 28, 1879.

offending citizens, while the exaction of a similar privilege in pursuing Texan robbers would have created difficulties.[100] This hesitation reacted on Mexico's claims for damages by injured settlers in Texas, continuing to increase and having to be finally recognized,[101] while Indians found a convenient refuge on the other side.[102]

Mexico in vain proclaimed against the culpability of the United States in not guarding better their Indian reservations from which the raiders mostly sallied of late years. Finally she was induced, in 1882, to agree to the mutual introduction of troops, her neighbor being restricted to the pursuit of Indians only. Joint campaigns were also arranged, with speedy effect in reducing the number of outrages. Durango had for some time been almost relieved of the scourge, and Chihuahua regarded herself as having passed the crisis, with every prospect of extending settlements into the hitherto desolated regions east and north. Indeed, schemes for colonizing such districts in both states were being rapidly formed, fostered by a stimulating extension of railroads.

[100] The U S. pressed the matter with such determination on Diaz' first accession to the presidency, that there was a prospect of war. See *Hist. Mex.*, vi., this series.

[101] For awards made by the joint commission, see indexes.

[102] *Mex. Informe Pesquis.*, 1874, is a detatled inquiry into ravages committed between 1848 and 1873. See also *Mex. Mem. Rel.*, 1875, 25–69; *Voz Méj.*, 1877–83 passim, and *Diario Ofic.*, *Id.*, *Pinart Col.*, MS., no. 1196. *Monitor Rep.*, and *La Republica.*

CHAPTER XXIV.

UNITED SONORA AND SINALOA.

1800–1830.

PROGRESS OF SETTLEMENTS—INVASION BY HERMOSILLO—CAPTURE OF ROSARIO—DEFEAT OF HERMOSILLO AT SAN IGNACIO DE PIASTLA—CAMPAIGN AGAINST THE APACHES—LAST COLONIAL RULERS—UPRISING OF THE OPATAS—THE EMPIRE WELCOMED—SONORA AND SINALOA NEGLECTED—PETITION FOR REFORMS—FEDERALISM FAVORED—SEPARATION OF SONORA IGNORED—FORM OF GOVERNMENT—GRIEVANCES AND REVOLT OF THE YAQUIS—OPERATIONS OF BANDERAS—SUPPRESSION OF THE UPRISING—EXPULSION OF SPANIARDS—HARDY'S VISIT—SEPARATION OF SONORA AND SINALOA—POPULATION.

THE opening of the century was marked by the extension of settlements toward the northern regions of Sonora, entailing the more rapid absorption and subjugation of the Indian element, under the joint efforts of presidio forces and ecclesiastics. At the same time, however, encroachments and other abuses roused different tribes to a more or less hostile attitude, while the development of resources attracted the marauding Apaches, Seris, and cognate Indians. The Seris had a retreat on Tiburon island;[1] and as the security there served to encourage other tribes, it was found necessary for the military commander to bestir himself and inflict a lesson.[2] Mexican military commanders, as a rule, were not very active in their operations against the savages when there was nothing to be gained by it.

[1] On more than one occasion, notably in 1802 and 1807, expeditions were projected against this robber band, but were frustrated by circumstances arising out of the war of Spain with England and France. *Instruc. Vireyes*, 187–8; *Velasco, Son.*, 152.

[2] In 1810 the governor congratulated the people on the conclusion of peace with the Seris, Tiburones, Tepocas, Coyote Apaches, and Yumas. *Gac. Mex.*, 1811, 390–3.

MAP OF SONORA AND SINALOA.

The constant measure of revolt and irruption naturally confined progress to narrow bounds, as did the policy of exclusiveness against foreign intercourse, settlers being expected to buy at exorbitant prices the limited range of supplies brought through the southern provinces from Spain. The effect was to check production, discourage industry and enterprise, and lower the social standard. Nevertheless, the temptation held out by foreign traders could not be wholly resisted, and the government was obliged to permit occasional dealings in order to secure a portion of the revenue sacrificed by strict exclusion.[3]

But the colonial régime was soon to end. The scene of Hidalgo's exploits lay too near not to create a ripple, and the intendente Alejo García Conde, sent his brother and Sub-Intendente Merino with some troops toward Guadalajara to join the royalists; but they were surprised on the way by the revolutionists, and carried prisoners to San Miguel el Grande.[4] So encouraged were the victors that they followed up the advantage by an invasion.

The leader of the uprising in Nueva Galicia, J. A. Torres, had, at the close of 1810, gained control of the entire province, and turned his attention to the north, assisted among others by Gomez Portugal, who planned an expedition into Sinaloa. The command was offered to José María Gonzalez Hermosillo, associated with the Dominican, Francisco de la Parra, who was the directing mind, though keeping himself in the back-ground,[5] and assisted by J. A. Lopez,

[3] Viceroy Marquina informs his successor that a strange vessel sold its cargo at Guaymas in 1802 for $300,000 in bullion. *Instruc. Vireyes*, 181. An American ship touched at the same port in August 1804. *Col. Prov. Rec.*, viii. 64–5. Capt. Little visited it in 1808, in the *Dromo*, and traded by permission, paying 15 per cent duty on $140,000 sales. Calicoes sold at from $4 to $7 per yard. Irish linens at $80 or more per piece. *Life on Ocean*, 110–14. The chief article of exchange at first was gold and silver, and later hides, tallow, cheese. *Pike's Explor.*, 358.

[4] *Gac. Mex.*, 1811, 390–3.

[5] Indeed, Hidalgo, who had reached Guadalajara in Nov., appointed him brigadier and commander of the party, but as the friar objected to publicity, Hermosillo figured as the chief. Documents in *Hernandez y Davalos, Col. Doc.*, i. 379.

lately in the royalist service.[6] The expedition left Guadalajara on December 1st, with 1600 infantry and 200 cavalry, a force which was swelled on the way by large numbers.[7]

On the 17th the revolutionists arrived before the mining town of Rosario, occupied by Colonel Villaescusa with 1,000 men and 6 guns.[8] After reconnoitring it was resolved to carry the place by assault, which was effected on the following morning by two columns of 1,000 men each. The royalists, driven from the entrenchments into the houses, surrendered unconditionally late in the afternoon.[9] Hermosillo then occupied San Sebastian and Mazatlan, and collected funds, especially by seizure of property belonging to European Spaniards,[10] in order to advance upon Cosalá.

Now came a turn in affairs. Villaescusa had been generously released on parole, but breaking his word he fortified himself in San Ignacio de Piastla, with the aid of loyal inhabitants,[11] and there awaited the arrival of the intendente with troops from Sonora. Hermosillo promptly advanced upon the stronghold before the reënforcements should reach it, his command by this time being increased to 4,125 infantry and 476 cavalry, strengthened with the acquisition at Rosario of artillery and arms.[12] He came in sight of Piastla on January 29, 1811, and took up position on

[6] Ensign of militia cavalry, and soon made col in this new service. *Zamacois, Hist. Mex.*, vii. 271.

[7] The first body had only 68 muskets and 40 pair of pistols. At Magdalena, Parra joined with 500 men, of whom 140 were cavalry, with 36 muskets and 100 pistols. They had some artillery, however.

[8] Villaescusa was captain of the presidio San Carlos de Buenavista of Sonora and brev. col. *Alaman, Mej.*, ii. 91.

[9] Villaescusa is said to have shed tears on appearing before Hermosillo, who, moved by compassion, let him depart. *Bustamante, Cuadro Hist.*, i. 177–8. Hermosillo was promoted to a full colonelcy, and promised a brigadiership if he should take Cosalá, where large funds were expected. *Alaman, ut sup.*

[10] Hidalgo received a portion. He acknowledged the receipt of fourteen marks of gold by letter of Jan. 14, 1811.

[11] Most of the royalists captured at Rosario are said to have rejoined him. Conde had been advised of the danger.

[12] He counted 900 muskets and 200 pairs of pistols. The body included the mulatto garrison of Mazatlan. *Hernandez y Davalos, Col. Doc.*, i. 381.

a hill commanding it, on the southern bank of the river,[13] till a ford could be found. While searching for this, the friar, Parra, was surprised and captured, and taken in irons to Durango. Fortunately he had been able to destroy the compromising documents which he carried, and aided, moreover, by brethren of the robe, he managed to escape.[14]

Hermosillo discovered a ford half a league from camp, and crossing with his men and artillery, February 8th, advanced to the assault in three columns, wholly unaware that the intendente had just arrived with the reënforcements.[15] These troops, moreover, had been posted in ambuscade along the line of the left column, which was permitted to approach into the outskirts of the town, while the other two columns were checked by well-directed batteries. At an opportune moment the ambuscaded party open fire upon the unsuspecting left with such withering effect as to place three hundred revolutionists hors de combat within a few minutes. The rest fell back in disorder upon the main line, creating a confusion which Hermosillo could not overcome. As it was evident, besides, that the garrison had been strengthened, he thought it prudent to retreat. The royalists followed up the advantage by capturing the neglected camp, with its baggage and stores, and pressed the pursuit so closely as to regain possession of the entire province, including Mazatlan and Rosario, and to awe the larger proportion of the fugitives to surrender, and sue for pardon. The rest dispersed on learning of Hidalgo's defeat in Nueva Galicia, which crushed for

[13] A conflict occurred on the bank between some detachments, and Villaescusa claims that 40 men fell. *Gac. Mex.*, 1811, 1172–8. During a parley between them, the insurgent lieut was assassinated. *Alaman, Mej.*, ii., app. 64.

[14] Under cover of a pass, to which had been forged the name of the intendente, Bonavia *Hernandez y Davalos, Col. Doc.*, i. 383.

[15] Villaescusa states that his own force numbered only 283 men. *Gac. Mex.*, 1811, 1176–7. Conde is said to have brought 400 Opatas, well armed with muskets and lances. Velasco, *Son.*, 152, places his men at over 1,000. Alaman assumes that he had not over 600 men at Piastla, with 5 four-pounders. *Mej.*, ii. 147.

years every revolutionary aspiration in this quarter.[16]

Although these provinces were thus spared further ravages by war, they escaped not altogether its burdens, for they were frequently called upon to contribute toward the support of the royalist cause,[17] and to pay besides a special war tax, while industries suffered from the interruption of traffic and supplies,[18] and the settlements continued to be threatened by Indians. In 1813–14, Captain Narvona and other officers carried on a regular campaign against the Apaches, and claimed to have inflicted considerable chastisement,[19] yet the readiness with which peace was proffered and leniency shown served only to encourage hostilities,[20] and the campaign continued with brief intermissions,[21] under the direction of the successive intendentes, Alejo García Conde, Echegaray, and Cordero, who closed the line of colonial governors.

More startling than these chronic irruptions was an uprising of the Opatas, the most civilized of the Sonora tribes, and also the most loyal.[22] Their sub-

[16] Among the earliest to accept pardon was Lopez, Hermosillo's lieut. The royalists pursued their opponents into Acaponeta. García Conde's report in *Gac. Mex.*, nos 24, 27, 28, 1811, p. 1136. Alaman is followed by Zamacois, *Hist. Mex.*, vii. 267–71, 393–4, 593, Arrangoiz, *Mex.*, i. 122, and most other writers; yet several of his statements and dates are disproved by the documents collected in *Hernandez y Davalos, Col. Doc.*, i. 376–83, with reports from Parra and Lopez, as well as letters from Hidalgo.

[17] *Loreto Miss. Rec.*, MS., 12–15, 24; *Pinart, Doc., Hist. Son.*, i., no. ix. 22; *Notic. Gen.*, Aug. 26, 1816. The northern part of Sinaloa did not altogether escape the revolutionary infection, for Capt. Pidalla reports the defeat of a band in March, near Charay, capturing 44 and killing 49 out of 200 to 300. *Gac. Mex.*, xxiv. 1197.

[18] Quicksilver being kept back, for instance, to the detriment of mining. *Pinart, Doc. Son.*, i., no. xxvi., 18. The war tax decree appeared Aug. 7, 1813. *Id.*, no. xiv., 22.

[19] In one of the numerous encounters, 29 Apaches were killed. *Gac. Mex.*, 1815, 196–7.

[20] In 1817, the noted chief, Chiquito, was taken. The intendente treated him with great consideration, and other chiefs coming at the time to arrange for peace, he at once released the prisoner. The party thereupon killed the guard, and ran off with some weapons. *Velasco, Son.*, 241–2; *Soc. Mex. Geog., Bol.*, xi. 85.

[21] In April 1818, the intendente at Arizpe reports having driven the savages beyond the rivers Salado and Colorado, peace being also made with several tribes. *Gac. Mex.*, xxxvii. 550, 623. 644; xxxix. 568; xl. 950; *Notic. Gen.*, June 14, 1819.

[22] For an account of this brave and interesting people I refer to my *Native Races*. i.; *Escudero, Not. Son.*, 140–3; *Zuniga, Mem.*, 1835. This chief

missiveness was due greatly to want of harmony among themselves which the government fostered, while employing them as soldier and frontier guards. They had frequently complained of the loss of privilege by their vassalage, but little heed was given to them.

In 1820, about thirty of them returning from service found their families neglected and their own pay withheld. Their denunciations became so threatening that the commandant sent them under guard to Durango. On the way they killed the sentinel, routed the escort, and returned to rouse their brethren.[23] A few hundred joined them to descend for pillage upon San Antonio de la Huerta and adjoining settlements. Those who resisted were killed, and several detachments sent against them were defeated,[24] notably one under Colonel Lomban, at Toniche, said to have numbered 1500 men, while they mustered not over 550. Aided by Chihuahua a force of over 2,000 men was raised against them, and a battle was fought near Arivechi. Finding themselves overmatched, the Opatas, reduced by losses and desertion, withdrew to the church, where they held out for two days, and surrendered only when their last shot had been fired. The two leaders Doraine and Espiritu with seventeen adherents were condemned to be shot, the rest being released.[25]

The measures taken to suppress Indian rebels after Hermosillo's defeat, checked any active participation

received an allowance from the government, with the title of general of the nation.

[23] One account refers to them as revolted presidio soldiers sent to Durango for punishment. *Cal. Archbish. Arch.*, iv. pt i. 26–7.

[24] Capt. Simon, who led one, was captured; at Arivechi they annihilated Capt. Moreno with 60 men in the church. *Velasco, Son.*, 117–19.

[25] Consult *Soc. Mex. Geog.*, x. 705–7; *Gac. Mex.*, 1820, 1230, 1821, passim; *Zuniga, Son.*, 5; *Pap. Var.*, 168, no. 13; *Son. Faccion.*, 9, in *Pinart's Col.*; *Cal. St. Pap.*, Sac., vi. 24, 36; *Escudero, Not. Son.*, 140–3. The usual difference with regard to numbers and particulars is observable in these authorities. Steps were taken to remove the cause for similar outbreaks by checking the arbitrary conduct of officials. *Pinart Col., Doc. Son.*, MS., i. no. xii. 40, no. lix. 25.

in the war of independence, and it was only when the Spanish yoke was thrown off that Sonora and Sinaloa joined quietly in the revolution. A fore-runner of the change appeared in 1820, in the new liberal constitution granted by Spain. Sonora and Sinaloa obtained under it their diputacion provincial, which was installed at Arizpe, thence to hold sway also over the Californias.[26] Ayuntamientos were also established, and deputies were sent to the córtes in Spain.[27]

Not long after, in September 1821, independence was celebrated throughout the provinces;[28] yet not under the supervision of Brigadier Cordero, who with other aims in view had departed for Chihuahua, leaving his subordinates to manage the different departments,[29] till an order came from Bustamante y Velasco, chief of the treasury, to assume his duties, and prepare for the election of members to the national congress,[30] as well as to observe that the privileges of local self-rule were duly enjoyed even by the natives.[31] In the following year the people welcomed the empire in paying eager homage to Iturbide.

The attention evoked by this fervor amounted to little more than to cause the creation of a comandancia de armas, or military department, with the same limits as

[26] The latter being annexed to the intendencia at Arizpe. *Cortes, Diario*, 1820, 22–3.

[27] Quiros y Millan and Delgado del Fuerto. Among the deputies provinciales are named Espinosa de los Monteros and Marcelino de Batis. *Gac. Mex.*, xlii. 1289. A deputy to the córtes had been chosen in 1810, in the person of M. M. Moreno.

[28] At Arizpe on Sept. 6th, at Guaymas on the 27th, and in the south of Sinoloa, somewhat earlier. *Guad. Gac. Gob.*, Oct. 3, 20, 31, Nov. 7th. An order had arrived from Generalissimo Iturbide to conform to the new imperial army plan. *Pinart, Doc. Son.*, MS., i. nos. 68–9, 28–9.

[29] Capt. Narvona as military gov., who signs the independence proclamations, Raf. Morales as political ruler, and Ig. Bustamante as minister of finance. *Guad. Gac. Gob.*, Oct. 20, Nov. 7, 1821; *Mex. Mem. Rel.*, 1823, 58.

[30] The choice fell on the presbyter Salido of Alamos and F. de Iribarren of Cosalá, with Riesgo as suplente. *Gac. Mex.*, xliii. 522. The latter was called to sit for the absent proprietary, and was chosen to write out the declaration of independence. He figured as an obsequious flatterer of Iturbide. When his term expired he obtained a lucrative appointment. *Bustamante, Hist. Iturbide*, 21.

[31] Certain judges, justicias constitucionales, were ordered to be replaced by newly elected men from among the Indians. *Pinart, Doc. Son.*, MS., i. no. lxvi. 27.

the intendencia, yet subject to the comandante general at Chihuahua.[32] This neglect roused the hitherto deferential deputy, Monteros, to an attack upon the central government, for ignoring many reforms proposed. He raised objections to so large a region being ruled by an intendente residing in the distant Durango. The audiencia was also too far removed, and he urged that Sonora and Sinaloa should be separated, an audiencia being established at Álamos to serve for both provinces, while diputacion provincial should be accorded to each.[33]

Monteros' words were the echo of a wide-spread discontent with the centralized administration which savored too strongly of the colonial system. The idea of a republic embracing a federation of states with distinct local governments had become too firmly rooted during the revolutionary war, especially among the out-lying provinces, which cared not to be ruled from a distance by men who were only too ready to sacrifice them to private aims. The pronunciamiento of Santa Anna against the empire in December 1822 was based on this provincial desire for semi-independence, and the hitherto passive north-west departments rallied quickly in support of it,[34] General Echevarri pronouncing on February 1st, at Durango, in favor of a sovereign congress.[35] The bishop of Sonora exerted himself openly against the movement, but the agitation in Sonora for separation from Sinaloa provoked a strong feeling in favor of the revolution, and its success was warmly greeted.

The new authorities, however, had weightier considerations in mind than the wishes of a remote border population, and it was not until a menacing agitation was exhibited that they deigned to give at-

[32] *Mex. Mem. Gener.*, 1823, 25; *Pap. Polit.*, ii. doc. xv. 140.

[33] To reside at Culiacan and Arizpe, respectively. *Monteros, Exposs. Son.*, 9–18; *Pap. Var.*, cxl. pt xiv., cxli. pt 6.

[34] For an account of this revolution I refer to *Hist. Mex.*, iv. 788 et seq., this series.

[35] *Pinard. Doc. Son.*, MS., i. nos. 85–6.

tention to Monteros' bill for separation,[36] which demanded also a number of concessions, such as the establishment of a mint at Álamos, a tobacco factory and treasury at Culiacan, an assay office at Arizpe, and the restoration of the Jesuits for the purpose of promoting education and controlling unruly tribes.[37] On July 19, 1823, the separation was decreed with diputaciones provinciales, to meet at Culiacan and Ures respectively, the latter residence not being obligatory. This measure was hasty, however, and ignored. A decree of February 4th of the following year, alluding to the two provinces under the title of Estado Interno de Occidente, ordered the formation of a joint constitutional legislature, composed of six members for Sinaloa, and five for Sonora, which should convene at Villa del Fuerte,[38] and there discuss the project before submitting it to the people. The deputies dallied over it; the Yaqui revolt, which finally drove the assembly from Fuerte to Cosalá, made the Sonorans less eager for the severance, as they needed the aid of the wealthier Sinaloa. This aided the decision in favor of maintaining the union, and a constitution was prepared in accordance October 31, 1825, the Occidente state, as its title now appeared, being divided into five departments, Arizpe, Horcasitas, Fuerte, Culiacan, and San Sebastian.[39]

[36] During the agitations the archives at Arizpe were to a great extent destroyed; hence the many gaps in history which cannot be satisfactorily covered. There were also troubles at Cosalá. *Biss*, in *Soc. Mex. Geog.*, ii. 62–3; *Son. Notic. Ofic.*, 7 et seq.

[37] Project presented Feb. 29, 1823; text in *Monteros, Expos. Son.*, 36–9; *Pap. Var.*, cxl. no. 14.

[38] At Fuerte the alcalde was to join the first four legislative members and preside at the preparatory meeting. *Id.*, iii. 25–6. In the federal Acta Constitutiva of Jan. 31, 1824, Sonora and Sinaloa are termed provinces, of the estado interno de Occidente, and this union is affirmed in the constitution of Oct. 4. Sinaloa was called by many Baja Sonora.

[39] The constitution, which is considered elsewhere, covers 319 arts, with numerous sub-divisions. It was signed at Fuerte by M. Escalante y Arvizu, as president. L. Martinez de Vca, C. Espinoza de los Monteros, F. de Orrantia, I. T. de Escalante, F. Dominguez Escobar, and I. F. Velasco and A. Fernandez Rojo, secretaries. Governor Nic. Maná Gaxiola, and secretary Ig. Lopez, countersign on Nov. 2. *Col. Constit.*, iii. 1–103. Both legislature and governor issued congratulatory addresses. *Pinart, Doc. Son.*, i. nos. 9, 15, 19, 40. A supplementary election law appeared Nov. 8th in 75 arts, cov-

The first governor under this constitution was Simon Elias Gonzalez, a most popular man, who was elected simultaneously for Chihuahua and Sonora. His family residing at the time in the former state, he preferred to remain there, but was finally persuaded to come to Fuertes,[40] vice-governor F. Iriarte was soon called upon to act for him, and in 1827 figures Nicolás María Gaxiola,[41] the predecessor of Gonzalez, who continues in charge during the following years. The first regular legislature met at Fuerte in March 1826,[42] and a month later the supreme court was installed.[43] The state had now its special comandante general, in José Figueroa, residing at Arizpe.[44] His force consisted of nine cavalry companies numbering about 45 officers and 747 rank and file, costing nearly $200,000 per annum. They garrisoned the nine presidios of Tucson, Fronteras, Santa Cruz, Altar, Buenavista, Horcasitas or Pitis, Bacoachi, Babispe, and Tubac, besides a few other points, as Guaymas, Álamos, Fuerte, while at the escuadron de Mazatlan guarded the district of that name. Two other companies of active militia in Sonora could be called upon when required. Of local militia very few bodies were organized.[45]

ering all voting. Deputies were to receive $3,000 a year and mileage. A decree of Jan. 13, 1830, fined absent electors $25 to $100. Persons who had neglected to take the oath to the federal constitution, or to illuminate in honor of the event, were fined $5. The title señoria was accorded to most of the higher officials, and to the vice-governor that of excellency. Pres. Escalante is praised for his services, in *Bustamante Comp.*, 109.

[40] He had received four-fifths of the votes, and the legislature voted $1,500 for bringing his family from Chihuahua. *Actas Cong. Constit.*, i. 58–61; *Pinart, Doc. Chih.*, ii. 6–7.

[41] In *Pinart, Doc. Son.*, i. no. 62, the name is written José María, while Nic. María is classed in *Id.*, no 52, as treas. gen. *Bustamante, Comp.*, 109. I. M. Ahnada appears in 1828 as vice-governor.

[42] With deputies Thomas Escalante, José Esquero, Ignacio Arriola, Mariano Pando de la Granda, who failed to be recognized, Ig. Verdugo, Juan Elias Gonzalez, Jesus Gaxiola, and José Manuel Estrella. *Actas Cong. Constit.*, i. 58.

[43] Under Mig. Dominguez, as president. Rules issued in 1828. *Pinart, Doc. Son.*, no. 130. The circuit court which opened at Rosario had jurisdiction over the Californias. *Mex. Mem. Soc. Estad.*, 1828, 14. *Actas Cong. Constit.*, i. 49. The district court at Guaymas also covered the Californias.

[44] *Actas Cong. Constit.*, i. 74–5. His pay was $4,000 and his adjutant inspector, a lieut-col, received $3,000.

[45] For further details see the special chapter on this and cognate topics.

While the organization was progressing, a serious affliction fell upon the state. The independence of the country had been hailed by the Yaquis with delight, in the expectation of privileges to be gained, such as equality, with the right to participate in elections, and the enjoyment of independent local government. All this proved a delusion. The local administration was unchanged, remaining in the hands of padres and alcaldes controlled by the state authorities. Moreover, exclusion of intruders was no longer enforced, and settlers began to encroach upon their rich soil. Nor were they even exempted from the payment of taxes as heretofore; and when, in 1825, assessors made their appearance to measure land and value property for taxation, their patience gave way.

A representation was sent to the authorities, based on immemorial exemption, the answer to which was the arrival of troops to enforce the assessment. At Rahum the Yaquis fell upon the soldiers, and drove them off, with the loss of seven men.[46] Then they proceeded to wreak vengeance upon obnoxious persons, among whom was Father Argüelles, of Torin, who was murdered, together with several citizens. A descent was next made on the adjoining districts, attended with pillage, and all the horrors of a savage outbreak.

Their leader was Juan Ignacio Juzucanea, usually called Banderas, from a banner carried by him, which he had obtained from a church, and represented as belonging originally to Montezuma. Although small of stature and unprepossessing in face, he wielded an immense influence by means of rare eloquence and decided administrative ability. But for his persuasion, the outbreak would probably have assumed no imposing form, owing to the lack of unity among the tribe,

[46] *Garcia Cubas, Escrit. Diver.*, 15. The cura of Cocori urged them to resist. *Velasco, Son.*, 80. The defeated force, under Capt. Mier, *Soc. Mex. Geog., Bol.*, viii. 301–2, is said to have numbered 200 men. In *Mex. Mem. Min. Rel.*, 1827, 13, the first outbreak is said to have been suppressed in beginning of 1825. The comandante-general was on his way with 400 men to explore the mining region when he was recalled to fight the greater uprising. *Estrella Occid.*, Oct. 19, 1860. *Col. Dept. St. Pap.*, lvii. 18–19.

fostered by the intrigues of religious and political officials. Indeed, some of the Yaquis were induced to side with the whites,[47] and the Mayos, the adjoining tribe on the south, held aloof. Banderas went to the latter, and harangued the chiefs of their sixteen villages with such effect that they allowed a large number of their tribe to enroll under his standard.[48] His success so far, especially in the matter of booty, proved, perhaps, the main inducement, while not a few felt impressed by his claim to being inspired for his acts by the virgin herself.[49]

The alarmed legislature invested the governor with extraordinary power, and steps were taken to organize militia forces to support the troops, for which reënforcements were demanded from Chihuahua.[50] The Pimas and other tribes were likewise enrolled, partly for local defence, partly for campaigns,[51] while the missionaries received special injunction to soothe the natives to the north and east, for it was rumored that the Yumas and Papagos, among others, had shown a hostile disposition.

Meanwhile the Yaquis and Mayos had jointly overspread the territory southward to Fuertes, and north toward Ures and Guaymas, routing several detachments, such as Guerrero's at San Vicente. Banderas himself led a force of three hundred men, armed mostly with clubs, slings, and bows, and raided one hacienda after another, sending back cattle and other booty to enrich his villages.[52]

Arriving at Santa Cruz, held by a strong body

[47] The people of Tepagui and Batacora joined the govt troops to chastise their kindred. *Soc. Mex. Geog., Bol.*, xi. 91.

[48] In May 1826, according to the *Correo Fed.*, Mar. 10, 1827.

[49] The most noted of the Mayo chieftains was Mig. Estévan, astute and audacious, who subsequently assumed the leading place in a war among the whites. *Velasco, Son.*, 76, 83.

[50] Those failing to respond to the temporary militia enrollment were to be condemned to serve for the full term fixed by law. *Pinart, Doc. Son.*, i. no. 32.

[51] At Cieneguilla alone, 159 men gathered. More than 200 Yaquis offered their services, and Pimas joined readily. *Pinart, Doc. Son.*, no. 27.

[52] He passed through Caxon, Bacaiete, and Punta de la Agua, through Coyotes, the reales de San Marcial and San José de los Pimas, the villages of Chibato and Subiate, and through Los Angeles and Tepague, near Pitic.

under the Indian chief Cienfuegos, he worked so persuasively upon the garrison that when the chief issued orders for defence, he was beset and compelled to flee, severely wounded. Shortly after, hearing of the execution of some captured Yaquis at Álamos as rebels, Banderas retaliated by court-martialing and condemning to death a number of prisoners in his power, as abettors of tyranny, and usurpers of Montezuma's authority, a formal notice of their execution being sent to the comandante general, Figueroa, with a warning to avoid unnecessary cruelty, and the intimation that he himself would be guided by the example set him by Christians.

Early in August, 1826, Banderas arrived before Pitic, the headquarters of the comandante general Figueroa, who was advancing from Álamos. On the 6th a battle was fought between San Lorenzo and Santa Rita, which was hotly maintained till night intervened. Banderas then departed in quest of reënforcements, leaving the chief Guiscamea to hold the ground. The absence of the leading spirit proved fatal to the Yaquis, who were defeated on the following morning, with a heavy loss in prisoners and dead. Those who fled encountered Captain Mier, who speadily scattered them with additional slaughter.[53]

The Yaquis, however, soon reunited, and Banderas was again in the field with fresh forces. The merchants of Guaymas, believing that the enemy was hemmed within their own territory sent into the interior for the long delayed caravans; but Banderas surprised the Pitic consignment, valued at fully thirty thousand dollars. A series of successful raids now followed, in numerous directions, all attributed by rumor to the personal direction of Banderas.

[53] Figueroa reported that this episode, which took place at rancho de la Mesa, Aug. 18th, resulted in the death of 300 Yaquis and the capture of 200 women and children, besides the recall of 90 citizens, who had been taken prisoners. *Pinart, Doc. Son.*, i. MS., no. 23. Mier had 300 men. The loss to the Yaquis in the encounter with Figueroa is placed at 130 dead for the two days. *Palanca*, Sept. 21, 1826. All exaggerated as may be supposed.

Dismay spread over the country, and had he followed up his advantages by attacking the larger towns it is difficult to say what may have been the result;[54] but he confined himself chiefly to petty raids and attacks on the smaller detachments, sustaining by this seeming forbearance the declaration that he desired only to obtain redress for his people. To this end also he sent a commission to the government, offering to disband his men whenever their grievances received attention.[55]

Meanwhile he relaxed his ravages, only to direct his efforts to preparations for renewing hostilities; notably in making powder, preparing arms, drilling men, and in seeking further alliances, a number of white soldiers being secured to aid in disciplining and leading the Yaquis. These doings greatly alarmed the inhabitants, and his force, which amounted to about two thousand, was swelled by rumor to ten and twenty times the number.[56] The legislature and other authorities had fled in affright from Fuerte and sought refuge at Cosalá, and General Figueroa began to be abused as inefficient.[57] The house of representatives had meanwhile been considering the appeal, and after lengthy discussion an act was passed offering amnesty and granting some aid to reëstablish order.[58] Moreover strong reënforcements arrived from Chihuahua, and as the late inaction of Banderas had cooled the war spirit of many followers, Figueroa's

[54] Hardy maintains that he could readily have captured any of the towns. *Trav.*, 397–400, 409.

[55] The commissioners were sent on to Mexico and treated with an impressive attention. *Palanca*, May 10, 1827.

[56] Among his plans, says Escudero, *Not. Son.*, 136–8, was to crown himself king and combine the different tribes, under a native govt, for war upon whites. The tribes were not in accord, however, and his messages failed.

[57] Unless reënforcements came all Sonora would be lost was the cry. *Palanca*, Oct. 19, 1826. 'No estaban muy tranquilos,' observes Bustamante quaintly, *Voz Patria*, ii. no. 17, p. 4, invaded as Sonora was by seven tribes of savages.

[58] On Nov. 30th. Pardon to be granted 'con las circumstancias que crea convenientes.' *Ramirez, Col. Doc.*, 205–6. Prisoners were to be clothed and their travelling expenses paid. *Gac. Mex.*, Oct. 17, 26, 1826; *Correo., Fed.*, Nov. 9, 17, 1826. Governor's appeal to congress in May, etc. *Actas Cong. Constit.*, i. 116–17.

overtures with partial concessions found hearing. The less tractable were awed into submission, among them Banderas, who on April 13, 1827, came with two hundred men to renew his fealty,[59] though some held out a while longer. A few lawless members retired to the mountains, the rest being satisfied with what they had secured in arms, cattle, and merchandise, all of which they were permitted to retain, the weakness of the government being displayed in the concessions granted.[60] Among the steps taken to appease as well as obtain control over them was a law of September 1828, by which Indians were confirmed in their rights as citizens, with obligation to organize into militia bodies, to educate children and distribute land among individuals. Official intrigue and neglect as usual reduced the law to little more than a dead letter.[61]

No sooner was the Yaqui affair settled than another threatened to arise from the edict declaring the expulsion of all Spaniards in the republic, including nearly all the padres. More than two thirds, however, of that nationality were exempted, owing to relationship by marriage with natives, and to services rendered;[62] but ere this became known the excitement ran high, aggravated by rumors of a Spanish invasion. The missions displayed an attitude so threatening that military steps were taken.[63] Noth-

[59] As early as Dec. 1826, a number of Yaquis had come to plead for pardon, and in Jan. large numbers laid down their arms. *Correro, Fed.*, Jan. 23, Feb. 7, 1827. Padre Dávalos exerted himself as mediator, to judge by his letters in *Pap. Var.*, 141, no. 11, p. xviii.–xx.

[60] The war cost 3,000 victims. *Estrella, Occid.*, Oct. 19, 1860. A number of the escaped Yaquis under the leader of Virgin, an Opata, kept Arizpe in alarm during Feb. 1827. Virgin, however, was captured and shot with a dozen followers. *Correo, Fed.*, May 9, 1827. Apache inroads had continued and the Papagos were complained of. *Soc. Mex. Geog.*, x. 708–9; *Pinart, Doc. Son.*, i. 32.

[61] Text with rules in *Pinart, Doc. Son.*, nos. 121–3.

[62] Under law of Ap. 25, 1826, 37 were expelled and 7 more under art. 9. By the state 65 were exempted and by the gen.-govt 51. *Mex. Mem. Sec. Estad.*, 1829, doc. 1. Those who had rendered service to the Spanish cause in 1821, were especially seized upon. *Pinart, Doc. Son.*, i. nos. 70, 221.

[63] In April 1828, several orders were issued to detachments and local authorities. Priests who abetted the movements were to be expelled.

ing came of it, save an increased stringency toward foreigners with regard to passports and surveillance.[64]

Among notable visitors of late years had been Lieutenant Hardy, who in 1826 made explorations from Guaymas along the gulf shores, and far up the Colorado, for pearl beds and gold.[65] The latter attracted in the same year Colonel Bourne, who inspected the chief mining camps of the two provinces.[66]

Although the union of Sonora and Sinaloa had been decided upon in 1825, the divisionists continued to agitate their project, and gain adherents by different manœuvres, such as the choice of capital, which excited rival towns in no small degree. Arizpe naturally claimed its long preëminence, and resisted with armed force the removal of the deputies to Ures, in accordance with the separation decree of 1823. In order to stop the quarrel the legislature met at Fuerte, which might be considered a border town. This encouraged the Sinaloans to strive for a still greater advantage, and Culiacan pressed her claim, rousing the jealous Sonorans to vigorous counter-efforts which resulted in a decree of October 26, 1827, declaring Concepcion de Álamos the capital.[67]

These proceedings added fuel to the party-spirit which became so violent in the legislature, that the assembly was for a time virtually in a state of dissolution. Vice-governor Iriarte made himself so conspicuous by advocating division that the unionists succeeded in passing a decree December 20, 1828, declaring him removed and ineligible for reëlection.[68] Both sides

[64] Circulars of Jan. 20, 1827, July 21, 1828. A list had to be kept of foreign residents or visitors.

[65] In the vessels *Wolf* and *Brujo*, during July and August. *Hardy's Travels in Mex.*

[66] Three years later the English war vessel *Sapphire* came to gather information on trade and condition, *Comercio, Voy.*, 184–90, 345–64, and the *Felicia* traded here in 1829–30. *Benard*, in *Soc. de Géog.*, xvi. 36–40.

[67] All officials being ordered to meet here on Jan. 10, 1828. The congress ordered the necessary public buildings to be erected. Decree of Feb. 12, 1828. *Pap. Var.*, no. lxvii. 117; no. lxviii. 119.

[68] See *Nouv. Annales Voy.*, xliv. 352–4; debate in *Actas Cong. Constit.*, i;

appealed to the supreme congress, which declared invalid the decree against Iriate. The legislature and Governor Gaxiola, nevertheless, failed to obey the decision,[69] whereupon several districts in Sonora and Sinaloa, pronounced against them[70] in March 1829.

This movement was over-awed for a time by a counter-pronunciamiento at Pueblo de los Seris, supported by Yaquis and Opatas;[71] but the decided position assumed by the militia colonel, Escalante, in August, at Buenavista, gave fresh courage to the cessionists, especially as the comandante general held aloof, alike unwilling to disobey the supreme government or to proceed against the state authorities,[72] and consequently evoking sharp comment from all quarters.

Appeals for the consideration of dividing the state became so strong that the legislature gave it serious attention.[73] Their committee reported adversely, on the ground that it was a party measure, centring upon a strife for disposing of the revenue. Neither province had sufficient income to support a distinct existence. Separation would weaken Sonora, and expose it to fiercer savage irruptions than ever, to the danger also of adjoining territories. Union was alone identified with progress.[74] The report failed to satisfy;

Pinart, Doc. Son., no. xxxiv. 68 et seq. Velasco, in *Soc. Mex. Geog., Bol.*, viii. 286.

[69] *Arrillage, Recop.*, 1829, 42–3. Heated discussion of the decree in the legislature, *Son. Acta Sesion*, 3–11.

[70] In Sinaloa, Culiacan, Cosalá, and San Xavier, which had been roused greatly by the removal of the capital to Sonora; and in the upper province, Guaymas, Hermosillo, Horcasitas, Oposura, and Mocteuzoma. *Pinart, Doc. Son.*, i. 147–8, 167–78.

[71] To the number of 700 men on June 13th. *Opin Pub. Occid.*, July 9, 30, 1829.

[72] He appealed to both parties in behalf of peace, proclaimed his impartiality, and offered to appeal to Mexico. *Id. Pinart, Doc. Son.*, i. nos 48–50, and pp. 165–74.

[73] The merchants of Hermosillo represented the paralyzing effect of the disturbance, and urged that the feelings of the majority be ascertained. *Son., Peticion Ciud.*, 1–8.

[74] The revenues for 1825, 1826, and 1827 had been $104,212, $186,310, and $108,814 in Sinaloa, and $23,895, $52,065, and $37,028 in Sonora. June 24, 1829, *Son., Manif. de la Comision sobre Division*, 1–52. Some of its statements are doubtful. Comments in *Espir. Pub.*, Jan. 7, 1829; *Correo, Fed.*, Mar. 9, 1828.

and in August the legislature, convoked in extra session, agreed so far as to issue a general amnesty, and to request the resignation of Governor Gaxiola, adding subsequently that the division question should be entertained and Iriarte reinstated.[75] This result was mainly due to the spread of Escalante's movement, with whom Figueroa now concluded a treaty.[76]

In January 1830, the decree for division was passed, and a commission was appointed to carry it out,[77] while congress considered the subject. After several promptings,[78] an approval of the division was issued, on October 13th,[79] and in the following month appeared the proclamation for elections for legislatures, which were to be installed in March 1831.[80] The boundary between the states was drawn through the Mesquite rancho, eighteen leagues south of Alamos, on the road to Fuerte, and down Rio Alamos to the gulf, presenting a breadth of territory of forty leagues. Rio de las Cañas remained, as heretofore, the border for Jalisco, while Sonora stretched to the Colorado and Gila. The eastern line was less satisfactory, owing to the extension of Chihuahua and Durango

[75] J. M. Almada assumed Gaxiola's place when he obeyed the order to resign. *Son., Cosas por un Tapado.*

[76] On Sept. 17th, in 8 arts. whereby Figueroa offered to instate Iriarte by force if necessary. *Pimtel, Doc. Son.*, i. 194–5, 204.

[77] It had also to make inventories of furniture and other public effects for division. Decrees 180 1, in *Id.*, i. 211.

[78] On Aug. 3, 1830, the diputacion permanente sent an appeal. Dissatisfaction arose with Deputy Monteros, and on June 7th his powers were revoked. An extra session of the legislature was resolved on Aug. 2d for promoting the division and electing a senator.

[79] And on the following day were issued rules for the act. General assemblies were to be convoked as soon as possible at Pitic and Culiacan. The three departments of San Sebastian, Culiacan, and Fuerte, forming Sinaloa, were assigned three electors each; those of Arizpe and Horcasitas, forming Sonora, four and five respectively. The junta general of Sonora should designate eleven deputies to form its state congress. Sinaloa likewise, and they should proceed to frame election laws, and choose senators. Decree in 19 arts, in *Dublan* and *Lozano, Leg. Mex.*, ii. 291–3. Arrillaga adds the election acts from the Occidente constitution of 1825. *Recop.*, 1830, 498–513; *Mex. Col. Leg.*, 1829-30, 127–9; *S. Miguel, Rep. Mex.*, 5; *Hermosillo, Cons. Son.*, 24.

[80] *Pimtel, Doc. Son.*, i. no. 228–33. Some difficulties occurred, which required legislative orders to smooth with fresh election decrees, and an amnesty appeared on Dec. 20th. The final date of installation was to be March 13th. Provisional regulations were issued for the treasuries. Comisario Gen. Riesgo found a strong opposition from Hermosillo.

over a wide tract along the western slope of the sierra which, by position and intercourse, pertained to the Occidente.[81] The population of the new states was estimated at one hundred thousand each,[82] with the prospect of a rapid natural growth for the comparatively protected and peaceful Sinaloa, and a strong counter-attraction for Sonora, against Apache raids, in the mines, and in the wide area, which should bring immigration. Indeed, in 1839, the population of this state was reported to be one hundred and twenty-four thousand,[83] from which a formidable militia could be formed for defence against irruptions if the local authorities would only enforce the decree passed for this purpose.[84] The last acting governor of Occidente was Leonardo Escalante, a powerful promoter of the separation.[85]

[81] *Velasco, Son.*, 15–16. In colonial times, Sinaloa extended from Rio Rosario to Rio Fuerte; Ostimuri, really belonging to it, continued to Rio Mayo, and then Sonora. *Humboldt, Essai Pol.*, i. 295–7. In *Cortes, Diario*, 1820, xi. 25, Sinaloa is said to extend even to the Yaqui, and Monteros stretches Sonora hence to lat. 36. *Espos., Son.*, 5. The name Sonora being applied also to Sinaloa, as Baja Sonora. *Soc. Mex. Geog., Bol.*, viii. 214–15; *Caballero, Estad. Son.*, 4; *Pap. Var.*, cxl., pt 14.

[82] By official report. *Mex. Mem. Sec. Estad.*, 1832, doc. i. 9. Yet Riesgo, *Mem. Estad.*, i. 96, placed the population of Occidente in 1828 at considerably more than 200,000, while Caballero estimated it in 1825 at 179,316. *Estadist. Son.*, 4, with details on p. 15.

[83] *Mex. Mem. Min. Rel.*, 1847, 112, and so far the preceding year in the estimates of Cortina and others. *Soc. Mex. Geog., Bol.*, ii. 6, 19; vii. 138–9; ix. 272. Stone seeks a partial cause in the Altar mining excitement of 1837. *Hist. Mag.*, v. 164. Mühlenpfordt, *Mej.*, ii., pt ii., 419, allows only 101,900 for 1833. Humboldt gives the intendencia of Sonora 121,400 in 1803. *Essai Pol.*, i. 155, 300. Navarro raised it to 135,385 seven years later, 38,640 being Spaniards, 35,766 mixed, and 60,855 Indians. *Soc. Mex. Geog., Bol.*, ép. 2, i. 291. In *Cortes, Diario*, xi. 26, it was then made 130,000. Cancelada assumed 144,640 for Sonora alone in 1808. *Ruina N. Esp.*, 73. Velasco, who excludes the uncivilized Indians, has only 58,396 for Sonora in 1828. See, also, *Ward's Mex.*, i. 583; ii. 606; *Mills' Hist. Mex.*, 190. The Yaquis alone numbered about 12,000, and beyond Arizpe lived few whites.

[84] As late as June 5, 1830. *Pinart, Doc. Son.*, i. 213–14. Official appointments had to be made under recommendation from municipalities. The exemption fees, modified by decree of Dec. 14, 1830, were liberal enough to allow of wide evasion.

[85] Pres. P. Sanchez issued in Feb. 1831 the congratulatory address to the new states on behalf of the dissolving legislature. F. Escobosa acted as gov. in the earlier part of May 1830. *Bustna, Compend.*, 109. Lack of funds caused the suppression of the subordinate jefes políticos in April. Accounts for settlement were still pending between the two states in 1834.

Lieut R. W. H. Hardy, R. N. Travels in the Interior of Mexico in 1825, 1826, 1827, and 1828. London, 1829, 8vo, pp. xiii. and 540. Illust. with map.

This writer was engaged in the capacity of a commissioner by 'the General Pearl and Coral Fishery Association of London,' and was occupied for some time in exploring the gulf of California in search of pearls. His work contains a great deal of valuable information, not only as regards matters connected with the object of his visit, but also on historical events which occurred at that time. Being in Sonora when political schisms were rife, he is able to supply many interesting particulars as regarded by a foreigner, among which may be mentioned his description of the panic which prevailed in Fuerte on the occasion of a false alarm being given that the Yaquis were approaching, pp. 188–92. Hardy, moreover, supplies much information about the habits, customs, and character of the Mexican people at that time, as well as concerning the Indians of Lower Cal. The *Quarterly Review* charges this author somewhat too severely with indulging in 'a certain allowance of stale jokes, bad puns, and small wit'; but in view of the really valuable and varied information he affords, he may readily be pardoned this weakness.

CHAPTER XXV.

SONORA AND SINALOA AS SEPARATE STATES.

1830–1851.

SONORA'S FIRST LEGISLATURE—LEADING TOWNS—INDIANS VERSUS WHITES—BANDERA'S SCHEME—HIS DEFEAT AND DEATH—WAR WITH THE YAQUIS—EXPEDITIONS AGAINST THE APACHES—PARTY STRUGGLES—GOVERNOR GANDARA—URREA PROCLAIMS FEDERALISM—HE IS RECOGNIZED BY SINALOA—GANDARA'S COUNTER-REVOLUTION—THE YAQUIS ROUSED BY GANDARA—WAR BETWEEN FEDERALISTS AND CENTRALISTS—ALTERNATE SUCCESSES—CHANGES OF RULERS—WAR WITH THE UNITED STATES—GUAYMAS BOMBARDED—AMERICANS TAKE POSSESSION—MAZATLAN CAPTURED—MIGRATION FROM SONORA TO CALIFORNIA—TROUBLES WITH APACHES—CHANGES IN THE ADMINISTRATION.

IN 1831 was installed the new legislatures[1] of Sonora and Sinaloa, with Manuel Escalante y Arviga as governor[2] for the former, and Agustin Martinez de Castro for Sinaloa. A bond still remained between the states in the office of comandante general which embraced both, though located at Arizpe, as the best centre of military operations. In 1835, however, the president created a separate officer of this denomination for Sinaloa.[3] Another reminder existed in the constitution of both states which differed little from that adopted in 1825.[4] The capital, as designated by

[1] Under protection of N. Sra. de Guadalupe, as patron saint. *Pinart, Doc. Son.*, ii. 31, 65. Deputies were to receive $3,000 per annum and mileage.

[2] Escalante represented as a kind-hearted and accomplished young man, and the qualities of Castro approved by reëlections to office. *Buelna, Comp.*, 110; *Velasco, Son.*, 71; *Cal. Dep. St. Pap.*, iii. 62. An auditing office was established in May 1834. All public employés were to be held responsible. *Pinart, Doc. Son.*, ii. nos. 289, 301.

[3] Lower Cal. remained under Sonora in military matters. *Cal. Dep. St. Pap.*, iv. 51–5. The pay was $4,000. The final military separation of Sonora and Sinaloa took place in 1842. *Dublan y Lozano, Leg. Mex.*, iv. 115.

[4] That for Sinaloa, adopted Dec. 12, 1831, contained an art. against property being held in mortmain. The gradation of tribunals, with courts of

the separation decree, was Hermosillo, lately known as Pitic,[5] and formerly as Horcasitas presidio, a town with a population of about eight thousand inhabitants. It owed its progress to the proximity of Guaymas, which made it the point of distribution for central and northern Sonora,[6] or about a third of this population. Álamos ranked as the most prosperous city in the south owing to the proximity of mines.[7]

Culiacan, the capital of Sinaloa, was one of the oldest settlements in the state, an episcopal seat, with a population of about 11,000. Next to it ranked in importance the mining towns of Cosalá and Rosario, the latter being made a city in 1827.[8]

Many of the rising towns were ex-missions, for secularization had been steadily practised since colonial days. The change from this fatherly régime to republicanism led to unscrupulous inroads upon the remaining missions, until only a few missionaries were left to witness the rapid decadence of their charge in ruined buildings and dispersing congregations. This applies rather to Sonora. One way of spoliation was to purchase or seize as loans cattle and other effects,

first instance in canton towns, courts with asesores in departmental head towns, and a superior court at the capital, of nine judges, was never strictly followed. Comments in *Bustos, Comp.*, 14; *Mex. Instande*, i. 231–3. Press restrictions appeared in Sinaloa in 1833. Decree of Dec. 6, in *Pimtel, Col.*, no. 272.

[5] Name changed by decree of Sept. 5, 1828.

[6] On the east side of the town is a lime-stone hill, called La Campana from the bell-like sound emitted when struck near the summit. *Ward's Mex.*, i. 565, ii. 595. Most of the opulent merchants resided here. *Hardy's Trav.*, 95; *Pimtel, Doc. Son.*, i. no. 424.

[7] For descriptions of the leading towns I refer to *Riesgo y Valdes, Mem.*, passim; *Pimtel, Doc. Son.*, i. 104–12, 145, 167, etc.; *Cambier, Voy.*, 173–6 204–9, 216–32; *Velasco, Son.*, 17 et seq. By decree of July 5, 1830, each city was entitled to two leagues of land on every quarter, and villas, one league and a half. *Pimtel*, i. 220. Several changes of name were made in course of these years. In 1837 the state was divided into four districts: Arizpe, Horcasitas, Hermosillo, and Loreto. *Id.* 83. The harbor of Guaymas was safe, although vessels drawing more than fifteen feet had to anchor some 500 yards from the landing. *Nouv. Annales Voy.*, xcv. 307–8, 316.

[8] Mazatlan was almost unknown till 1818, when a presidio was established there. In 1824 a custom house was added, and after 1838 a decided impulse was given to the port. Description of this and other towns in *Riesgo y Valdez, Mem.*, 45 et seq.; *Ward's Mex.*, i. 559–60, 583–6; ii. 607–8; *Mendoza, Expos. Son. y Sin.*, 15; *Pap. Var.*, cal. pt 14; *Pimtel, Doc. Son.*, i. 92 et seq.; *Bustos, Comp.*, 31–3; *Soc. Mex. Geog., Bol.*, ép. 2, iv. 65–6. Mazatlan suffered frequently from storms, notably in 1839, and 1855.

and then withhold payment.[9] The decline of the presidios, also, hastened that of the northern missions, and the special securalization decree in 1833 almost completed the destruction. By this time missions that a decade before could sell 8,000 head of cattle in one lot had a mere remnant left. Of the eight Querétaro Franciscan missions, and some under Jalisco Franciscan management only a few had resident ministers. With such poverty, and exposure to irruptions by savages, there was little inducement for curates to accept the charges offered, and about half the population received no regular religious care. As far back as 1822 there were only 74 priests in the state, each required to tend an average of from three to four establishments, embracing over 450 square leagues.[10] On the frontier the districts were four times larger, and the consequent neglect by ministers had led to a partial relapse into paganism.

The relapse among the aboriginal tribes was the more dangerous, as they lived in comparative isolation, which fostered the prejudice against the whites. True, a large proportion of the natives came to serve in the white settlements, and so maintained a bond of intercourse. The numerous Pimas were more scattered, and the advance of settlers tended to keep them under control; but the Seris kept aloof on the west to foster their marauding instincts, and the Opatas, to the east, while ever the most loyal, and the very bulwark against Apaches, frowned at any encroachment upon their rich tracts. The Yaquis and Mayos were more restless owing to their position along the very highway of the obnoxious whites, occupying, as they did, the lower course of the rivers bearing the same names.[11]

[9] To the Pimeria Alta missions alone were owing in 1829, $4, 456 by presidio companies, $27,000 by private persons, and $30,000 by the govt, in stipends. *Velasco, Son.*, 147–9; *Pinart, Doc. Son.*, i. 30–1.

[10] *Mex. Mem. Sec. Estad.*, 1831, app. 8. According to *Id.*, Hac., 1832, Doc. N., the eight Querétaro missions were supposed to receive $2,800 in stipends, while the 29 Jalisco missions in Sonora, Nayarit, and Tarahumara obtained $9,400.

[11] For an account of the different tribes, I refer to my *Native Races*, i., iii.

The success of the Yaquis in the revolt of 1825–7, and their subsequent practical independence, had not failed to raise their self-importance, and to make them disloyal on the least pretence. They had imbibed a taste, also, for easily acquired spoils, and it needed, therefore, only a slight provocation to rouse them anew. This came in a decree suppressing the offices of general,[12] which affecting the leader of the late revolt, Banderas, brought him at once to his feet. He had made good use of his authority by maintaining the efficiency of his people as warriors, and acquiring arms, and dreamed of a vast Indian confederation in Sonora, with himself as king, to which end he had sent messengers to different tribes to gain support, particularly from the brave Opatas. The latter gave promises that satisfied Banderas, who thereupon, toward the close of 1832, marched at the head of nearly 1,000 warriors toward their territory, whence he proposed, strongly reënforced, to fall upon Ures and adjoining towns, in conjunction with Pima allies. His preparations did not escape the whites. Leonardo Escalante, promptly headed a body of citizens from Hermosillo, which strengthened by accessions from other towns enabled him to meet the Yaquis at Soyopa with about 400 men. Either this promptness, or second sober thought, had caused the Opatas to hold back, a few alone joining. Banderas, nevertheless, accepted battle, which, after three hour's obstinate fighting, resulted in the total rout of the tribe, and the capture of the chief himself. He was quickly tried and shot at Arizpe.[13] The Yaquis had gained too much confidence, however, from former achieve-

passim. See also *Zuñiga, Son.*, 40 et seq.; *Pap. Var.*, clxviii. pt. 13; *Voss. Anales Veg.*, xciii.; *Riesgo, Mem. Estad.*, 1–6.

[12] Oct. 30, 1830. The eight Yaqui pueblos were ruled by one director, one alcalde mayor, one capt.-gen., two lieut-generals, and one regidor for each pueblo. Nearly the same system applied to the nine Mayo pueblos. *Escalante, Son.*, 100–1. The Yaqui population was about 12,000. The captain-general had been granted an allowance after the former revolt. *Riesgo, Mem.*, 27; *Pinart, Doc. Son.*, i. 85, 223.

[13] By decree of Jan. 23, 1833. *Pinart, Doc. Son.*, MS., ii. no. 59.

ments to be disheartened by this defeat, and aided by the Seris, continued the struggle, nor was it until after nine months, with varying success, that the local authorities managed to restore peace. Insa Cameca, the successor of Banderas, seems to have been in sympathy with the reforms which followed,[14] for when a revolt occurred at Tori, in 1834 he suppressed it with great firmness, declining Mexican aid.[15]

The watchful Apaches never neglected such opportunities for pursuing their inroads. Most dreaded were the Coyoteros and Piñaleros, in southern Arizona, who, joined frequently by the Chiricagüis, Gileños, and Mescaleros, made devastating inroads, killing, robbing, and driving off herds of cattle through the difficult passes of Conejos, Batavi, Papera, Turicachi, and Las Animas, while their tactics of dispersing in small bodies and drawing attention from the bands carrying off booty, made pursuit of little avail, and the recovery of stolen property generally impossible. The result was the gradual depopulation of the northern portion of the state, the disappearance of the missions and settlements, and the abandonment of the mines which had attracted thousands.[16] The raids extended beyond Arizpe, and around Ures and Hermosillo.

When the Yaqui outbreak was suppressed, expeditions were sent against the marauders, only to meet with disastrous repulse, the main bodies being suddenly assailed while hampered by the difficulties of hard mountain passes. The savages were well provided with good fire-arms, in the use of which they were far

[14] It was sought to ensure peace by restricting the sale of liquor, by enforcing the distribution of land, so as to reduce the community spirit, while promoting the desire for order that springs from increased possessions. Protectores were appointed to watch over these enactments. *Pinart, Doc. Son.*, ii. 26–7, 64–6. All Indians to be made land-holders in their towns.

[15] Because he prided himself on his authority, says Zuñiga. *Nouv. Annales Voy.*, xciii. 241.

[16] Over 100 ranchos and pueblos have been abandoned, says Escudero. *Sonora*, 76–7.

more expert than the Mexicans. Following up their advantages, the Indians advanced close to Arizpe, spreading consternation through the state. The people were now roused by very fear to greater exertion; inducements were offered to volunteers, a coalition of the northwestern states was formed, and by the autumn of 1834, several victories had been gained over the Apaches, who had grown over-confident by their recent successes. The famous chief, Tutije, was captured, and executed at Arizpe. After this, a large portion of the volunteers returned home, leaving five hundred men to pursue the scattered bands. This being a less successful system, peace negotiations were opened, at the instance of Comandante Mora, which met with disapproval on the part of the civil authorities,[17] who maintained that extending peace to such treacherous foes was only giving them time to recuperate for fresh inroads, while the governor informed Mora that he might conclude treaties, but the citizens would again go forth and exterminate every Apache found with arms in hand.

The legislature approved his determination, and on September 7, 1835, proclaimed a war of extermination, a prize of one hundred dollars being offered for each scalp taken.[18] A campaign of fierce determination followed, which lasted till August 1836, when the ardor of the volunteers having at length abated, peace was once more concluded, to last, as heretofore, only till the Indians felt themselves strong enough to renew their raids.[19] The general government had given little heed to appeals for aid, the disorder in the central states, and the Texas question, which arose at this time, being too absorbing to admit of border districts obtaining much consideration.

[17] Correspondence on the subject in *Pinart, Doc. Sue.*, ii. 49–56. For particulars of these campaigns, see *Id.*, i. 235; ii. 18–19, 26; *Id.*, nos 305, 315, 345, 373; *Arrillaga, Recop.*, 1830, 310–11; *Cal. Dept. St. Pap., Ben., C. & T.*, iii. 63; *Velasco, Son.*, 112.

[18] *Bartlett's Narr.*, i. 322–3; *Foster's Angeles*, MS., 12–14.

[19] In Sept. and Oct. 1836, several raids already took place. *Pinart, Cal.*, no. 480.

Notwithstanding the agitation caused by Indian troubles, Sonora did not escape the curse arising from the struggles between political parties. The plan of Zavaleta caused turmoil, and after several minor pronunciamientos, the people of Arizpe, in August 1833, proclaimed against it, whereupon the comandante-general, Arregui, marched with four hundred men to suppress the revolution. The legislature, moreover, issued decrees inflicting death upon those who joined Arizpe, decrees which were fulminated by the general; yet Hermosillo and Horcasitas did not hesitate to denounce the legislature. Arregui was personally obnoxious to the troops, and deputations from the presidios having met at Arizpe, he was deposed September 30, 1833, and J. M. Elias Gonzalez installed in his place.[20]

The agitation found further encouragement in the great struggle of the conservatives and clergy against the liberal principles advanced under federal rule.[21] The legislature declared its position by assuring the people that no reforms attacking religion would be countenanced.[22] Though Santa Anna was recognized by the popular spirit, pronunciamientos at Vera Cruz and other points affirmed, as it were, the dawning centralism, under which relief was hoped for from growing evils. A change might remedy the existing disregard of the authorities for the frontier districts, especially in the way of satisfying the troops with more regular pay.[23]

The new era was marked by the transformation of

[20] A list of charges with documents was forwarded to Mexico. *Son. Repres.*, 1–44. Gonzalez was lieut-col and adjutant inspector. The governor recommended him to the legislature. *Son., Contest., habida*, 642; *Pinart, Doc. Son.*, ii. 3–14, 68–73, 80, 181–96; *Cal. Dept. St. Pap., Ben., C. and T.*, ii. 51–4, 59.

[21] Consult *Hist. Mex.*, v., this series. In this connection see also *Oposicion*, Dec. 25, 1834; *Tiempo*, Aug. 15, 1834; *Bustamante, Voz Patria*, MS., viii. 483–8.

[22] Proclamations of July 8, 15, and Oct. 24, 1834, in *Pinart, Doc. Son.*, ii. 38–45.

[23] Some of the troops were in actual revolt on this account. The state authorities were charged with absorbing the funds applied for defence. Official statement in *Cal. Sup. Gov., St. Pap.*, xxi. 9–10.

the state into a department, with four prefecturas,[24] Manuel M. Gándara being the first governor. General José Urrea was made comandante-general. The appointment of Urrea was singular. He was recognized as a stanch federalist, and his appointment was due only to President Bustamante's personal regard.

No sooner had he arrived at his headquarters, Arizpe, then he proclaimed, December 26, 1837, the restoration of the federal system, and secured from the Guaymas custom-house over one hundred thousand dollars.[25] Disappointed in the prospects of amelioration, and caught by the very magnitude of the project, troops and citizens responded in different directions, notably at Arizpe, Ures, Hermosillo, Tepic, Mazatlan, and Culiacan, till Urrea not only had men enough to meet the departmental government, but was able to send bodies to oppose the central corps advancing upon him from Sinaloa, and support the pronunciamiento made in Mazatlan. Gándara joined the movement, was declared provisional governor, and a congress was convened to reform the federal constitution in furtherance of the self government of the states. On March 14, 1838, the congress assembled, Urrea being governor-elect and L. Escalante vice-governor. The legislature confirmed Urrea as comandante-general, general of the federal army, and protector of Sonora and Sinaloa,[26] conferring upon him full powers to raise armies, and form alliances.[27] This privilege he quickly availed himself of by offering lands, pensions, and other inducements to attract

[24] The pay of the prefects was from $1,800 to $2,000. *Mex. Mem. Hac.*, 1838, pt 2.

[25] It is related that the house of Iñigo provided the first funds to start the movement on condition of being favored at the custom-house; whereupon the firm ordered a cargo of goods from Europe, which arrived in Feb. 1839, after Urrea had been ousted. Charges were brought against the governor for complicity in fraud. *Conde y Herrera, Repres.*, 1–38; *Pap. Var.*, lv. no. 2, lxxviii. no. 8.

[26] *Son. Fusion.*, 106–7; *Restaurador Fed.*, Jan. 30, Mar. 13, 1838. Urrea's name with appropriate inscriptions was ordered to be placed on public buildings. Farías and Viesca were offered an asylum with land. *Pinart, Doc. Son.*, ii. 133–4, 139–40.

[27] Plenipotentiaries were to be sent to other states to form a coalition.

followers, the legislature assisting him in different ways, notably in issuing a provisional constitution.[28]

In Sinaloa the formal pronunciamiento was first

Tucson
Bac
Sonoita
Tubac
Tumacacori
Calabazas
Guevavi
Buenavista
Arizona
Suamca
Sta. Cruz
Fronteras
Tubutama
Coconpera
Oquitoa
S. Ignacio
Magdalena
Imuris
Baciachi
Cuquiarachi
Teuricachi
Babispe
Bacadeguachi
Cucurpe
Tepache
Opodepe
Guirives
Baseraca
Guachinera
Huepaca
Aconchi
Banamichi
Chinapas
Guazave
Nacori
Nacameri
Populo
Hoporipa
Baluarte
Oposura
Los Angeles
Alamito
Hermosillo
Carrizal
Ures
Batuco
Alamos
Salvaripa
Teopari
Arivechi
Soyopa
Suaqui
Tecoripa
Tonichi
S. Ignacio
Yecora
Moris
Torreon
S. Josef
Pima
Sahuaripa
Comuripa
Buena Vista
Potam
Rahum
Cocorin
Nuri
Bacum
Teraihue
Belen
Conicari
Loreto
Chinipa
Tesia
Nabojoa
Cuteco
Guazapares
Temoris
Alamo
Baca
Batopilas
Tubares
Loreto
S. Miguel
Sta. Ana
Temoriba
Baborigame
Chicorato
Cinco Llagas
Sinaloa
Bamoa
Nio
Badiraguato
Mocorito
Capirato
Tamazula
Culiacan
Bachiguallo
Nabolato
Bachiniva
Otatitlan
Capirato
Ignacio
Guatenipa
Ramura
Cosala
Concepcion
Elota
Ilumas
Yamoriba
Copala
Sta. Apolonia
Rosario
Pueblo Santo
C. Lucas
Mazatlan
Guaymas
Pitic
Concepcion
Mulege
Purisima
Loreto
Comondu
S. Luis
Sta. Gertrudis
Sta. Cruz
Mochicavi
Ahome
Guasave
Tamazula
Fuerte
Alamos
Mayo
Yaqui
Sonora
Ocoroni
Piaxtla
Presidio
Elota
Baluarte
Tamazula
Pacific Ocean
Gulf of California
Baja California
Sierra Madre Occidental
Sierra Madre Occidental
Sierra Madre
Sierra Madre
Sierra Madre

made on January 12, 1838, at Culiacan, by Colonel Cuevas, seconded by Orrantia, acting governor.[9] This was followed by the capture of Rosario and Cosalá,[10] while Urrea came down with a Sonoran force in April in two vessels, and took possession of Mazatlan, which added greatly to his resources by sea and land.[11] These were not of much avail however. By this time the government had been able to take steps to check the movement. On the 20th General Paredes appeared before Mazatlan with a strong column, and reminded the garrison that its first duty was to join in opposing the French, who were then threatening the republic. This appeal to patriotism shook the allegiance of several of Urrea's officers, so that Paredes found little difficulty in carrying the town by assault on May 6th.[12] Urrea fled to San Blas, and failing to rouse this place, headed the campaign in the interior of Sinaloa. This, however, languished, owing to the call for Urrea's presence elsewhere, and a small force sufficed to give the final blow to the movement.

Meanwhile Gándara changed his views with regard to the expected political formation and fell back upon his former position as centralist governor, assuming the lead in the counter-revolution which was promoted at Horcasitas. He proclaimed it his duty to suppress the movement in favor of the federal system, and profited by the reaction of fear among wav-

[9] Who on the 16th recognized Urrea as protector of Mexican liberty and placed the resources of the state at his disposal. *Reservadas Fol.*, Feb. 6, March 6, 1838. A cause for this lay in the dissatisfaction with the government for closing Mazatlan to foreign trade at the close of 1837, on the ground of smuggling. *Sin. Propos.*, 3–20. Changes in *Comerc. de Guad., Exps.*, 1–8; *Pap. Var.*, lxxvi. pt 10. The port was ordered to be reopened by decree of Feb. 22, 1838. *Arrillaga, Recop.*, 1838, 61; and now again closed on account of rebellion.

[10] By Cuevas and Carrasco, the latter sacking Cosalá taking at least $50,000 in silver bars, besides jewels, etc. *Bustam., Cuap.*, 14; *Pinart, Doc. Son.*, ii. 119.

[11] *Diario Gob.*, June 21–22, 1838; *Lorenzana, Mex.*, 401, 424–30. Bustamante writes that of $70,000 duties and other effects, seized partly at Guaymas, he sent 170 silver bars to New Orleans in his own name. *Galindo*, i. 60–1.

[12] He took the place in quarter of an hour. *Id.*, 59–60; *Bustam., Cuap.*, 14; *Niles' Reg.*, liv. 336.

ering federalists to obtain recruits. Not content with these, he appealed to the Yaguis, his former foes, and to still worse northern tribes; nor did he scruple to pander to their propensities for plunder, which resulted in the Papagos' ignoring his authority, as did the Yaquis to a great extent. Both factions added to the burden of the people by enforcing contributions.

Several encounters took place, the first of note being at Chino Gordo, on May 22d, followed by the taking of Hermosillo and the capture of Vice-governor Escalante. Urrea now appealed to the people, calling upon them to redeem their pledges of support. Entering Álamos with 700 men, he afterward advanced against the Gandaristas, and in August gained a brilliant victory, followed by successes at Belen and other points, which culminated in the capture of Arizpe in October.

These successes were neutralized by centralist progress in the south, and Urrea's opponents, taking advantage of his temporary absence, gained a crowning triumph, November 19th, at Opodepe.[33] Gándara was exultant, but avoided mention of the loss of life and destruction of property,[34] which was aggravated by the Yaquis and Papagos, who rose in 1840 and committed serious depredations, though the Yaqui general, Juan María Insa Camea lost his life in assisting to quell the movement.[35] It required a close campaign to reduce the rebels, who assisted by the Apaches left a wide track of devastation in the district of Horcasitas.[36]

[33] Consult *Zuniga, Contest.*, 20–1; *Pap. Var.*, 185, no. 3; *Bustamante, Gabinete*, MS., 249–53.

[34] *Pap. Var.*, 153, no. 10; *Pinart, Doc. Son.*, ii. no. 530; *Cal. Dept. St. Pap.*, iv. 130; *Mosquito, Mex.*, June 19, 1840; *Hist. Mex.*, v., this series. Among the towns sacked were Saguaripa, Batueo, Matape, Hermosillo, and Adivino. Álamos escaped pillage by paying $50,000, Altar, $16,000, and Hermosillo $70,000 without being exempt. *Zuniga, Carta* and *Contest.*, passim; *Pap. Var.*, 150, no. 32; *Gandara, Espos.*, 65–6; *Pinart, Doc. Son.*, ii. 154–8.

[35] *Mex. Mem. Guer.*, 1841, 36; *Zuniga, Contest.*, 110; *Soc. Mex. Geog.*, x. 709.

[36] In 1840 they penetrated to Mazatlan and Cocospera. *Velasco, Son.*, 253–6, 263; *Soc. Mex. Geog., Bol.*, xi. 92–3, 98–9; *Mex. Mem. Guer.*, 1841, 36; *Pinart, Doc. Son.*, ii. 82–4, 131, 137, 142, 150–1, 166; *Pap. Var.*, clv. pt 4.

Gándara made himself rich by the war, and surrounded himself with stanch adherents. He retained the comandancia general for some time, and removed the capital from Arizpe to San José de los Ures, in spite of supreme orders to place it at Hermosillo. His tenure of power, however, did not last long. In 1841 Urrea again agitated Sonora, not with success, but its aim—to raise Santa Anna to the dictatorship—was supported by Paredes in Jalisco. Gándara failed to catch the import, and Cuerta, second military chief, more clear-sighted, seconding the movement, compelled him to retire, the government being left to the management of J. L. Pico. A flood of long pent-up complaints now burst forth, resulting in the reappointment from Mexico of Urrea to both the civil and military commands. The new ruler was eagerly welcomed in May 1842, and at once took steps to suppress the inroads of the Apaches. Although these measures were most necessary, Gándara resuscitated the political agitation by inciting the Yaquis and Mayos, who were devoted to him, against Urrea's administration, securing also the coöperation of other tribes.

The first outbreak occurred in May, and was soon suppressed by Urrea. Supporters of the movement, nevertheless, increased in numbers, and, on July 24th, they attacked Hermosillo, suffering a repulse. On August 26th, they were routed with great loss at Norias de Guadalupe;[47] but sustaining themselves by plunder, gained possession of a few minor towns, and several ranchos. But this source of supplies naturally failing, negotiations were followed by a formal peace of the usual kind which only led to further depredations.[48]

[47] Urrea attacked 1,500 insurgents with only 289 men and one gun. He killed 200, sustaining a loss of 9 killed and 17 wounded. *Foto Son.*, Sept. 2, 1842, no. 36; *Id.*, Sept. 21, Dec. 21, 1842; *Mex. Mem.*, iii. doc. 3; *Foto* an. 21.

[48] In June 1843, Huerta, Armenta, and some others were caught and shot. *Foto Son.*, June 8, July 27, Aug. 10, 17, 31, 1843.

In September 1843, Gándara again came on the scene, and several skirmishes took place in the neighborhood of Ures, Gándara claiming the advantage. Urrea, however, having received reënforcements from Sinaloa, inflicted severe blows upon his opponent at Guaymas, Tepepa, and Opodepe, the battle at the last-named place being won on November 27th.[39] Nevertheless, the war continued with alternate success until, in 1844 the assembly, now installed at Hermosillo, invested Urrea with extraordinary powers, which he used to such good purpose that the rebellion was nearly extinguished at the close of March.[40]

The Gándaristas had carried on a double contest with Urrea, one in Sonora with arms, the other at Mexico with charges against him, accusing him of maleadministration and infringement of the laws. While it was not evident that Urrea performed his duty as ruler, it cannot be denied that Gándara was culpable in rousing semi-barbaric tribes to sustain his cause; nevertheless, the government, being weak, determined to make a concession by replacing the obnoxious governor.[41]

Notwithstanding the protests of Urrea's party, Brigadier F. Ponce de Leon assumed charge as governor and comandante-general in April 1844, and in August the reëstablishment of peace was announced.

Urrea remained in the department, and preparations were resumed to defend the frontier against Apache inroads, as well as curb the Seris with whom a peaceful arrangement was made, which only resulted,

[39] Urrea claims to have defeated 1,500 rabble, causing them a loss of 200. *Pinart, Col.*, no. 678. *Son. Bol.*, Nov. 28, 1843; *Pinart, Doc. Son.*, iii. 164; *Soc. Mex. Geog.*, viii. 527.

[40] *Urrea Resena*, 3–7. The Gándaristas were closely pressed, and driven into the Yaqui region. *Son. Bol.*, Feb. 29, 1844.

[41] Gándara was rich and influential, and made a plausible defence in his *Espos.*, 1–8; *Mex.*, MS., 32; also *Vindicacion*, 4 et seq. The assembly and leading official men supported Urrea. *Voto Son.* Dec. 28, 1842, Jan. 26, 1843; *Pinart, Doc. Sonora*, iii. 164 et seq. The feelings of white settlers is not clear. When the removal became known, deputies and others protested, and sought to persuade the successor to resign. *Son. Bol.*, Oct. 26. 1843; *Pinart, Doc. Son.* iii. 171–80.

in a renewal of robberies and murders. No less unsuccessful action attended the attempts against the Apaches.[41] Toward the close of 1845 some vigor was infused into the operations, but when the war with the United States broke out in 1846, the tribes, though badly scattered, escaped pursuit and again combined.

The campaign of 1844 was interrupted by the revolution of Parades, in Jalisco, for the overthrow of Santa Anna, and Urrea was requested in November to reassume command. He complied, but on May 15, 1845, surrendered the power to the eldest member of the assembly, who was presently succeeded by J. M. Gaxiola, who took the oath June 25th.[42]

In Sinaloa the movement of Parades had been supported, November 7, 1844, at Mazatlan, by Lieutenant-Colonel Brambila, who, however, surrendered his assumed civil and military command to F. Duque,[43] three weeks later.

Urrea, having been elected to the national senate, seems not to have paid any attention to the summons by a not over-friendly administration to present himself at Mexico, and remained in Sonora managing to control the local government. The Gándaristas, however, on August 29th, caused a pronunciamiento to be made at Horcasitas, demanding his expulsion. On November 25th, an engagement took place near Her-

[41] In Feb. 1844, 500 of the so-called peaceful Apaches, under Mangas Coloradas, boldly attacked the presidio of Fronteras, and carried off stock and captives. In April a party defied the pursuing force at Tepuchi. In August Elias started northward from Fronteras, and inflicted several blows, particularly in Sept. 1st, when over 100 Apaches were captured or killed. *Voto Son.*, Sept. 5, 12, 1844. Account of outrages, in *Pimentel, Doc. Son.*, iii. 190-226.

[42] *Voto Son.*, March 27, June 26, 1845; *S. Miguel Rep. Mex.*, 40, 72.

[43] Duque had been comandante-general of Sinaloa and Sonora in 1833. In Dec. 1842, the council of Sinaloa protested against a central military government. *Bustamante, Diario Mex.*, MS., xlvi. 25. The disorder extended to assaults on foreigners, notably on two French subjects, in Sept. 1844 on a sailor, and in June 1845 on a baker, which nearly brought about a bombardment, and a breach of international relations. Details in *Tessière, Expediente*, 1844, 1-27, relating to cruel mutilation; *Pabellon Nac.*, Oct. 31, Nov. 2, 1844; *Defensor Integ.*, Sept. 11, 21, 1844; Masson defends the French. *Olla Podrida*, 55-61; *Bustamante, Mem., Hist. Mex.* MS., ii. 122-3, with account from *Siglo XIX*.

mosillo, in which the government troops were routed. Urrea fled southward and his influence for the time was lost.[45] Cuesta having joined the movement, assumed temporarily the chief military command.[46]

Gándara now returned and began to agitate his plans by bringing the governor and the comandante-general, Elias Gonzalez, to loggerheads, through the medium of Cuesta. On February 20th the ayuntamiento of Hermosillo declared the departamental council dissolved, and Cuesta installed as governor,[47] which appointment was confirmed at Mexico. This movement having been effected in a great measure by the aid of the Indians, the Yaquis felt disappointed at the peaceful solution of the question, and assumed a threatening attitude, which required the interference of Gándara. Tranquillity was restored with some trouble, and judicious closing of eyes.[48]

In September the supreme government appointed a new governor in Rafael Ceballos, Cuesta being propitiated with the comandancia-general. Simultaneously, however, came news of the federalist pronunciamiento at Mexico and Cuesta, still in power, hastened on September 6th to give in his adhesion. He knew this would be acceptable to the majority of the inhabitants, for the hopes once centred in a centralist régime had proved illusive. The Apache inroads had increased to an alarming degree, and the state had, moreover, been the scene of almost constant civil warfare. It seemed better, therefore, to resume the semi-autonomy of a state, with its many privileges, since affairs in other respects could hardly become worse. Yet many still warned against the additional evils of increased party agitation and strife for local

[45] *Amigo del Pueblo*, Oct. 21, 1845; *Sonorense*, June 26, 1846; *Pinart, Doc. Son.*, iii. 116–17, 244–250, 266–7.

[46] *Mex. Mem. Hist.*, Jan. 24, Feb. 4, 17, 1845. J. M. Gonzalez succeeded him. *Tiempo*, March 21, 1846.

[47] Gaxiola and the deputies being declared accomplices of Urrea.

[48] *El Tiempo*, May 23, 1846, points out that Sonora was ruled by savages, for Yaqui and Opata garrisons held the chief towns, even of the Pimas, who guarded Ures. In Sept., Gándara reported peace restored among the Yaquis and Mayos. *Sonorense*, July 24, 31, Aug. 16, 1846.

offices.[49] The change was affirmed, however, by the cessation under the supreme decree of departmental councils, prefecturas, and other centralist representation, and the call of electors to choose a legislature and governor under the long suspended federal constitution of 1831.[50] These powers were installed with the opening of 1847, at Ures,[51] and Gándara found himself rewarded for his promptness and foresight by the governorship.[52] Among the first tasks was to reform the constitution of 1831 to suit the change of ideas,[53] and the government was shortly divided among nine prefecturas, with ayuntamiento bodies for the leading towns, smaller places being directed by justices of

[49] Deputy Monteverde argued that remote Sonora, with a sparse and less cultured population, and strong family factions, was not fitted for statehip. *Dicc. Univ.*, x. 420. Cuesta controlled the forces and had the means to check any remonstrance.

[50] In Sept. R. Palacio acts as governor, at Ures. *Sonorense*, Sept. 25, 1846. Primary elections began on Oct. 4th.

[51] As the capital, a previous decree being annulled which declared Arizpe the seat of government. Gaxiola had insisted on residing at Hermosillo, which by decree of Aug. 19, 1843 had been affirmed as capital, *Dublan, Leg. Mex.*, iv. 523, while the contemporary assembly remained at Ures. Cuesta followed his example. *Pinart, Doc. Son.*, iii. 177, 190–2; 207–314, *passim*; i. 4.

[52] With Luis Redondo for vice, and J. M. Mendoza for treasurer. Caballos did come, but found it prudent to resign in Oct., leaving Cuesta to continue in charge till the election. *Sonorense*, Oct. 30, Nov. 6, Dec. 4, 1846. *Pinart, Doc. Son.*, iv. 1. Bustamante, *Hist. Invasion*, ii. 110, has a poor opinion of Cuesta.

[53] A provisional governor or the chief justice was to replace the regular governor, the vice-gubernatorial office being abolished. The state was declared to embrace nine partidos. This organic law was signed at Ures on May 13, 1848, by F. N. Lopez, president, J. Martinez, J. Estevan Milla, M. M. Encinas, R. Encinas, F. J. Aguilar, M. Campillo, and R. Pueblas, the latter two acting as secretaries. It was issued by M. M. Gándara on the 15th, countersigned by Secretary C. Navarro. *Sonora, Constit. Reformada*, 1848, 1–48, with 107 arts. On May 26th election laws were issued in 42 arts. Text in *Correo Nac.*, July 14, 1848. During 1847 the government council had been abolished. Deputies received $1,500 pay, and $2 per league for mileage. *Sonorense*, June 16, 23, July 14, 1848; *Pinart, Doc. Son.*, iv. 29–46, 71–2. Velasco, *Sonora*, 24–33, comments adversely to the power to increase emoluments in the legislature, on lack of government council, etc. In June 1847 three prefecturas were decreed. Ures, Hermosillo, and Álamos, with salary of $1,400, subsequently $1,600, and the municipal government was graded according to four classes of settlements, cities, partido capitals, places of 500 inhabitants and over, and places with less. Rules in *Pinart, Doc. Sonora*, iv. 33–5, 38–49. In 1848, however, the above partidos were converted into prefecturas. Velasco gives the extent of each. The chief cities received ayuntamientos, the next grade, three justices of the peace, and smaller places, one, who supervised the police of haciendas. Certain sales of church property were annulled by decree of June 30, 1847.

the peace, in proportion to their population. The new constitution was not issued until May 1848, owing partly to the war with the United States.

The Texan question had given early premonitions of danger from the neighbor republic, and here as elsewhere Americans had become subject to suspicion and restrictions. In September 1846 came the news of impending war, with an order to send militia reënforcements and other aid to Chihuahua; but the notice of blockade by United States war vessels made it apparent that Sonora would need all she could raise for her own defence. On October 5th, indeed, appeared the *Cyane*, Commander Dupont, preceded by the war sloop *Dale*, with a demand for the surrender of Guaymas and the two small gun-boats, or the alternative of bombardment. Commandant Campuzano signalling his refusal by applying the torch to the boats, Dupont opened fire on the 7th, and inflicted considerable damage on the town, besides cutting out the war brig *Condor*.[54] This much accomplished, aggressive operations were suspended, a blockade being decided upon. New fears arose, however, from the unexpected appearance on the northern border at the close of 1846, of a large expedition under General Kearney, which crossed from New Mexico to Alta California, through Tucson, this place being temporarily occupied. Preparations for defence were, therefore, continued, and the legislature joined in the effort by granting the governor extraordinary powers, calling out the militia, and forming an arrangement with the adjoining states for mutual aid. Subsequently all able-bodied Sonorans were summoned to take up arms,[55] an appeal to which more than 1,000 men responded within the day.

[54] *Iris Espan.*, Nov. 11, 1846.

[55] By decree of April 22, 1847. *Sonorense*, Jan.–June, passim; *Pinart, Doc. Son.*, iii. 323, iv. 2, no. 824 et seq.; *Son. Ley. Varios*, 9. An appeal from California received official attention. The bishop joined in stirring up the people. *Economista*, July 7, 1847.

New Map of Sonora

Little could be done to strengthen the frontier, when all available troops were demanded for active operations in the centre and north-east of the invaded republic. While the presidio seemed protected by the wilderness beyond, the coast lay exposed to a threatening squadron. Attention was, therefore, mainly directed to fortifying Guaymas, as the port of the state; to which end the garrison was increased in March to four hundred men; a fort was constructed on Casa Blanca hill, and additional guns were mounted.[56]

On October 16, 1847, the frigate *Congress*, Captain Lavallette, appeared before Guaymas, followed by the sloop of war *Portsmouth* and the prize brig *Argo*,[57] from which a thirty-two pounder and some smaller arms were landed on Almagre island and another point under cover of night. This accomplished, a summons for surrender was made on the 19th, and Commandant Campuzano refusing, fire was opened on the following morning with such effect that in less than an hour the white flag was hoisted. Persuaded that resistance would only entail useless destruction of property, Campuzano had withdrawn to Bacochivampo, there to guard the approach to the interior, leaving the municipality to make terms for the town.[58] Most of the inhabitants had fled, and foreign traders and others who remained were permitted to leave in boats for a village some distance to the north, owing to the cutting off of water and food by the Mexican corps of observation. The fortifications were blown up and a guard posted, partly for the protection of

[56] Owing to the active participation of citizens, Campuzano reported that work valued at over $10,000 had been performed at a cost of less than $1,000. The government, however, was slow in granting supplies. *Sonorense*, March–April, Oct. 22, 1847.

[57] Claimed by J. Robinson, U. S. consul at Guaymas, who had long resided there, acting also for England. *Mofras, Or.*, i. 182. The two war vessels were rated at 44 and 20 guns respectively, yet both carried a few more, although not 60 and 34 as Pinart, *Doc. Sonora*, iv. 50, has it. *Arco, Iris.*, Dec. 11th.

[58] Campuzano's retreat was approved. *Sonorense*, Oct. 22, Dec. 31, 1847. Frost places the retiring force at 400. *Hist. Mex.*, 457.

property; yet some pillaging took place.[59]

Lavallette was instructed merely to take possession of the fort, and as a smaller force seemed sufficient for the task, he departed on the 23d, leaving the *Portsmouth*, Commander Montgomery, to hold it, with orders to permit legal commerce, and exact duty under the tariff established for the coast by decree of April 3d.[60] The sloop *Dale*, Commander Selfridge, joined her shortly after, and was for a time left in sole charge. This diminution in the blockading force encouraged the Mexicans to reënter the town on November 17th; but they were forced to retire before the attack of the marines, supported by lively broadsides.[61] Several other skirmishes took place later at Cochori and Bacochivampo,[62] and further south. An exploring and reconnoitring expedition passed in February 1848 down the coast, touching at Tiburon island, and at the Yaqui settlements to conciliate this powerful tribe, which was readily accomplished.[63]

Nothing resulted from this occupation, save a small gain to Americans from custom-house revenue, and considerable loss to the Sonorans from interrupted trade and destruction of life and property, the treaty

[59] *Sonorense*, Nov. 5, 1847: and so mentioned also in *Niles' Register*, lxxii. 295. The bombardment, with 500 shot and shell, it is said, inflicted great damage, though but little loss of life. *S. F. Calif.*, Feb. 2, 1848; *Findlay's Dipcd.*, i. 297.

[60] Consul Robinson was made collector. In the proclamation to the town of Oct. 20, Lavallette assured protection to all citizens, subject only to certain modifications in the civil administration. Report and correspondence in *U. S. Govt Doc.*, cong. 30, sess. 2, *H. Ex. Doc.*, i. pt ii. 70 *et seq.* An ad valorem duty was fixed at 15 per cent ad valorem. Montgomery's force was placed at 300. *Mex. Arch., L. Cal.*, ii. 5; *Niles' Register*, lxxii. 295; *Wise's Los Gringos*, 136; *Ripley's War with Mex.*, ii. 603–4.

[61] Selfridge being wounded during the first fire, Lieut W. T. Smith led the land party, numbering 65 men. The Mexicans were estimated at fully 200, and their loss at about 20. Reports in *U. S. Govt Doc.*, as above, 97–100. Campuzano claimed, with 196 men under Capt. Jurado, to have driven back the Americans; loss, one killed and five wounded. *Sonorense*, Nov. 26, 1847. The victory was celebrated by Mexicans even in Lower Cal. *Mex. Arch., Lower Cal.*; *Frost's Hist. War*, 457; *Cal. Star*, Apr. 8, 1848, devotes an entire column to the skirmish. *Peticion*, iv. 146.

[62] *U. S. Govt Doc.*, as above, 128–34. Trade with Americans was interdicted by decree of Feb. 17. *Pimtel, Doc. Son.*, ii. 64–5.

[63] The barracks at Bacochivampo were destroyed on Feb. 20th. A descent was also made on an outpost 12 miles from Guaymas. *U. S. Govt Doc.*, 53–4; *Id.*, cong. 30, sess. 2, *H. Ex. Doc.*, i. 1157–60, 1133–6.

of peace, signed in May 1848, causing the departure of the hostile squadron.

In Sinaloa the invaders had been favored in their designs upon the rich port of Mazatlan by internal dissensions. In 1845 R. de la Vega and F. Facio figured as governor and comandante-general, respectively, to the discontent of a growing faction,[64] which on January 5, 1846, pronounced against them, at Mazatlan, and declared the civil and military authority vested in Lieutenant-colonel Angel Miramon, with adhesion to the plan of San Luis lately issued by Paredes.[65] This was adopted at Culiacan and several other places.[66] Paredes chose to appoint other men for the commands,[67] but his own position being precarious Colonel Tellez, en route to California with troops, seized the opportunity to remain at Mazatlan and pronounce for Santa Anna, on May 7th under a federal system, with himself as comandante-general and governor. Both titles being disputed the latter by Vega and another claimant,[68] and the former by T. Romero, Tellez marched against them, routed the latter at Las Flechas, September 15th, and compelled Vega to seek safety in flight.

Such demoralization favored the approach of the Americans, and on September 7, 1846, the United States squadron touched at Mazatlan, captured a Mexican brig of war, and established a temporary blockade, which was resumed in the following April, and formally proclaimed in August. On November 10th, Commodore Shubrick demanded the surrender

[64] Vega was charged with smuggling. *Amigo Pueb.*, Aug. 30, 1845, and *Monit-Constit.; Mem. Hist.*, Feb. 10, 1846. Facio was declared incapable.

[65] See *Hist. Mex.*, v. this series; *Tiempo*, Jan. 29, 1846.

[66] *Mem. Hist.*, Feb. 15, 23, 1846.

[67] J. I. Gutierrez as comandante, and Martinez Castro as governor, who assumed control in March. *Id.*, Apr. 8, 1846; *Gutierrez, Contest.*, 25; *Pap. Var.*, xli. pt 19.

[68] G. Layja, appointed from Mexico in Oct. Vega controlling the election at the capital managed to declare himself chosen, regardless of the votes. *Razonador*, Nov. 10, 1847. The legislature sustained him. *Pinart, Col.*, no. 854.

of the port, which being refused, he landed some six hundred men with four guns, and took possession, Tellez retiring to Presidio de Mazatlan, eight leagues distant. Shubrick left three hundred men in the place, under the direction of Captain Lavallette, in command of the *Congress*; authorities were appointed, and every precaution was taken to calm the people.[66]

Meanwhile Tellez and Vega became engaged in rival efforts to secure supremacy, Vega sustaining himself at Culiacan as governor. After a feeble attempt at resistance on the part of Tellez, whose conduct disgusted his followers, Vega was recognized as governor. While his forces were engaged in observations around Mazatlan, several skirmishes took place with the invaders, little loss of life being incurred.[67] In March 1848, news of the cessation of hostilities arrived, and on June 17th the port was formally restored to Mexico.

While the war with the United States was going on, Apache invasions into Sonora caused great distress. More settlements were destroyed, and even the suburbs of Ures were assailed, compelling the abandonment of the Tubac presidio. A war tax was established in February 1848, and the supreme congress having granted a portion of two hundred thousand dollars[68] devoted to the protection of exposed states, several expeditions were sent out, with no more result than that, in the following years, Indian raids and outrages were followed up with the same impunity. Extended desolation followed, made wide-sweeping by the impoverished condition of the national treasury, and the drain upon the population caused by the excitement of gold discoveries in California. This lured away

[66] *Correo. Nac.*, Dec. 14, 1847. Details in *U. S. Gov. Doc.*, cong. 30, sess. 2, *H. Ex. Doc.*, i., pt ii.; *Ramsey's Other Side*, 428-9; *Ripley's War Mex.*, ii. 604-6; *Cincinnatus, Travels*, 81-2; *Mex. Treaties*, vii., pt 11; *Californian*, Feb. 9, 1848.

[67] *U. S. Gov. Doc.*, *ut sup.*, 1105-22; *Correo. Nac.*, Dec. 14-15, 1847; *Razonador*, Dec. 11, 1847; *Arco Iris*, Dec. 24, 1847, Jan. 28, 1848.

[68] Sonora received $20,000. *Mex. Col. Leg.*, 1848, 458.

both citizens and troops, leaving the state in despair, by withdrawing its stanchest defenders,[72] and even the heads of departments.[73] Wages and prices rose fast, and plans were discussed and tried in order to arrest the exodus, but of no avail,—the fever had to run its course.

As regards security of the frontier in 1848, five military colonies were assigned for Sonora, to be located probably at Babispe, Fronteras, Santa Cruz, Altar, and Tucson. So dilatory, however, was the supreme government that by the end of 1850 only that of Fronteras had been properly planted, Santa Cruz being in course of formation, while the rest were not even located. The total force reached only three hundred and thirteen men, and as troops were needed to oppose the Indians, the state was ordered to equip, at federal expense, four companies of national mounted guards, each to consist of fifty men and four officers.[74] This measure also languished, and the total force for 1850 was only five hundred and twenty-seven men.[75] The state endeavored to attract foreigners by liberal offers of land, on condition of being liable to certain military duties, but the national government overruled the measure as extravagant and dangerous.

Political factions continued their strife, and in March 1848 a plot was formed to kidnap Governor Gándara, and replace him by Redondo, with Elias

[72] It is estimated that between Oct. 1848, when the first caravan left Hermosillo, and March 1849, more than 5,000 persons departed. During the first four months of 1850, fully 6,000 left, taking with them about $14,000 in beasts of burden. Velasco, *Sonora*, 289–91, places the exodus by March 1849 at not less than 4,000. Passports were required for departure, but numbers left without the document. Poverty prevented a still greater emigration. *Soc. Mex. Geog.*, xi. 111, 126; ii. 59; *Pinart, Doc. Sonora*, iv. 118, 204 et seq.

[73] A decree was passed authorizing the governor to fill vacancies in municipal and other offices. *Pinart, Col. Doc.*, ii., no. 1003.

[74] At a monthly expense of $1,521 per company. *Sonorense*, Nov. 2, 1849.

[75] Of whom 132 belonged to battalion, 4 of infantry, 50 to the national guard, the rest being classed as military colonists, including those in Lower Cal. *Mex. Mem. Guer.*, 1851, doc. 1, 3–4. For remarks on the decaying condition of the presidio and colony sites, see *Velasco, Son.*, 104–23; *Soc. Mex. Geog.*, ii. 58, 63–5; viii. 522–7, 453–6; *Zuniga, Son.*, 60–6.

Gonzalez as comandante-general, which office Gándara also held.[78] As it was, Redondo received the vote in May for substitute governor, and Gonzalez succeeded to military command in December.[79] In the autumn elections, José Aguilar was the chosen candidate, and assumed the governorship in April 1849, Juan Bautista, a brother of Gándara, ruling ad interim.[80] Aguilar found his position so far from enviable that he tendered his resignation on more than one occasion, and was allowed to retire in October 1851, on leave of absence.[81]

In January 1851 a new comandante-general arrived, the brave and energetic Colonel J. M. Carrasco. Unfortunately, within six months he was carried off by cholera,[82] and his successor, General Blanco, failed to meet the expectations formed. There was particular need at this time for a firm military commander. Wide-spread alarm had been created by rumors of filibustering preparations in California, directed against the rich and forsaken northwest, notably under General Morehead, who, however, failed to obtain sufficient support.[83]

[78] He had accepted it Feb. 25, 1848. Campuzano filled it until 1847. *Marmo*, pref.: *Sonorense*, Mar. 3, 22, May 24, June 4, Aug. 16, 1848.

[79] *Pinart, Doc. Sonora*, iv. 72, 99. Gándara threatened to press a claim of $400,000 for advances and losses during the war of invasion, which induced the government to recall an order for Gen. Urrea to interfere. Several strong protests were issued by Gándara, who was in fear of his powerful rival commanding at Durango. *Cremony's Apaches*, 39–40; *Sonorense*, Oct. 15, 20, Nov. 3, 1848. Urrea died Aug. 1, 1849. *Pinart, Doc. Sonora*, iv. 159.

[80] Aguilar resigned in Oct. 1851, the ad interim governor being M. M. Gaxiola. When the federal system was overthrown, in 1853, Aguilar retired from politics. *Aguilar, Vindic.*, 4.

[81] Floods in Oct. 1848 had added to the distress. The governor's message of March 1851 was more hopeful. *Sonorense*, Nov. 17, 1848; *Pinart, Doc. Sonora*, iv. 297–8.

[82] On July 21st, at Cochori. His death was a calamity. *Voz Pueblo*, July 30, 1851, attributed by certain anti-Gándarists to poisoning. Carrasco's condemnation of previous methods had roused Gándara and others against him. *Hall's Son.*, MS., 67; *Mex. Mem. Guer.*, 1852, 45. J. M. Flores succeeded him temporarily.

[83] Morehead went to Mazatlan about the middle of 1851 in the *Josephine*, but did nothing. *Mex. Mem. Guer.*, 1852; *Informe, Comis. Pesquis.*, 8.

CHAPTER XXVI.

FILIBUSTERING INVASIONS FROM CALIFORNIA.

1852–1854.

RAOUSSET DE BOULBON'S EARLY CAREER—HIS SCHEMES—PINDRAY'S FRONTIER COLONY—RAOUSSET'S GRANT—ARRIVAL IN SONORA—HOSTILITY OF OFFICIALS—CAPTURE OF HERMOSILLO—RAOUSSET ATTACKED WITH FEVER—RETIRES TO GUAYMAS—THE ADVENTURERS CAPITULATE—NEW SCHEMES OF THE FRENCHMAN—THE COMPAÑIA RESTAURADORA—RAOUSSET GOES TO MEXICO—A SECOND EXPEDITION PLANNED—THE RETURN TO SONORA—RAOUSSET DUPED BY YAÑEZ—THE MEXICAN BARRACKS AT GUAYMAS—PLAN OF ATTACK—ASSAULT OF THE FILIBUSTERS—THEIR DEFEAT—DISPOSAL OF THE PRISONERS—EXECUTION OF RAOUSSET—HIS CHARACTER.

SONORA at length received the aid in troops and arms, which had been refused for defence against more savage foes.[1] These measures proved opportune, for a really formidable expedition was fitting out at the time in California. For three years adventurers had been drifting into San Francisco from every zone, lured by gold. Finding near realities below their exalted expectations, they strained their eyes for prospects rendered more glittering by distance and vagueness. Stories of the precious mountains of Sonora, the gold nuggets of the Gila, and the silver bullets of the Apaches, so current on the Mexican border, found ready acceptance among this class of fortune-hunters, who dreamed only of sudden and easy acquisitions.

[1] Blanco brought in March 1852 sufficient resources to place 1,500 men under arms. Tanori and other friendly Indian chiefs received honors to ensure their loyalty. *Pinart. Doc. Son.*, v. 2, 16–17. Foreigners were now placed under greater restrictions, and their status duly defined. Those neglecting passports were to be heavily fined. *Nacional*, Oct. 21, 1853.

Prominent among them was a French count, Gaston Raoulx de Raousset-Boulbon, of an ancient but decayed Provence family.[1] Imbibed traditions and manners had stamped him as a child with a haughty determination that procured for him the appellation Little Wolf; yet a natural generosity assisted his Jesuit teachers of Fribourg to subordinate these traits to lofty sentiment and regard for dignity. Repelled by the frigidity of an unsympathetic father, he hastened, at the age of eighteen, to Paris, to yield to the giddy whirl. Talented and handsome, he was well received in society. To a graceful figure of barely medium height was added an oval face of strongly marked features, frank in expression, and well set off by an incipient mustache and imperial of blonde hue. The dreamy eyes fired upon slight provocation. He was a dashing horseman and a good fencer; skillful with the sword and rifle as with the pen and pencil, and shone equally in song and conversation.[2]

With the decrease of a maternal legacy came sober reflections on dissipation and idleness. Constrained in the artificial and sordid atmosphere of the social capital, his ambitious spirit began to sigh for some famous field of action. He proceeded to Algiers, there to mingle somewhat visionary colonist undertakings[3] with eccentric hunting excursions and military expeditions, latterly in the company of Duc d' Aumale. The revolution of 1848 assisted to crush his projects, while involving the inheritance from his father, yet he welcomed the movement, freed as he was by this time from implanted royalism and religion. His appeal for the popular suffrage of his

[1] Born at Avignon Dec. 2, 1817. His mother was descended from Bearn. "Je suis né trop tôt ou trop tard,' he often exclaimed bitterly, when roused from his dreams. *Lachapelle, Le Comte de Raousset-Boulbon*, 3. 'On était séduit par le charme de sa parole, par son regard imposant, par l'élégance de ses manières.' *Fossey, Mex.*, 188. He sketches his own life and feelings to some extent in *Una Conversion*, 3–7 et seq., a novel printed at Mexico in 1854, full of vapid pride and crude paragraphs.

[2] As indicated by a pamphlet issued by him from there.

native place failed, however; the journal he founded was not successful.[5] Disappointed and ruined, he wished to leave France. The reigning gold excitement directed his attention to California, and thither he hastened early in 1850 by way of Panamá. Penniless, he engaged successively as hunter, lighterman, cattle-dealer, and miner, without achieving more than subsistence. This by no means accorded with his aspirations. He still nourished chivalric fancies, and sought for some coup d' état by which to retrieve his fortune.[6]

The voyage to El Dorado had afforded him a glimpse at Mexico, associated in his mind with the romantic achievements of Cortés and the glitter of a semi-barbaric court, now the scene of party strife and the rise and fall of leaders, and seemingly drifting into absorption by a strong neighbor. On the other hand, he saw in California a large French influx, which, finding no congenial reception from the Anglo-Saxon element, began to turn toward the sympathetic Spanish races of the south, and embrace with particular fervor the gilded stories of the Mexican frontier.

A year before Raousset's arrival another scion of decayed French nobility had reached the coast in the person of Charles de Pindray,[7] a sort of Apollo-like Hercules,[8] with pronounced features and a singularly fascinating glance, flashing and penetrating, renowned as one of the most cool and daring hunters that supplied San Francisco's markets. His vocation becoming unprofitable with increasing competition, he readily fell into the tempting project for a gold-hunting colony in Sonora[9] strong enough to resist the Apaches

[5] *La Liberté* proved too radical in spirit and 'fierté de langage.' *Madeléne, Le Comte Raousset-Boulbon*, 46–7.

[6] 'J'ai résolu de chercher une de ces grandes aventures qui conduisent au succés ou à la mort,' he writes to a friend. *Lachapelle*, 88.

[7] A marquis of Poitou, *Id.*, 54, 60, aged 35; others call him le comte, and allude to him as leaving France for duelling and other less scrupulous doings.

[8] 'Comme celui du Giaour ou de l'Esprit rebelle de Milton.' *Vigneaux, Mex.*, 176.

[9] Saint-Amant, *Voy. Cal.*, 113, consular agent at Sacramento, wrote to France about this prospect in 1851.

while sustaining itself and prospecting for metal. His influence gave form to the idea, and in November 1851 he left with four-score companions for Guaymas.[10] Others followed, and with nearly 150 men a colony was established at the deserted mission in Cocospera valley. The government failed to keep the promises made in consideration of the services to be derived from so valuable a frontier bulwark, a neglect that must have been expected from its lack of means and the disturbed condition of affairs. The consequent privation and disappointment led to desertion.[11] One day Pindray was found shot in his room, by his own hand, it was declared, although friends insisted that he must have been assassinated.[12]

Pindray's activity had given impulse to the movements of Raousset, who seems to have been somewhat jealous of his rival's superior influence and reputation. Consul Dillon of San Francisco had ventilated the colonization schemes in letters to the French minister at Mexico, and learnt of similar projects there. At his advice Raousset proceeded to that capital, and aided in the formation of the Compañia Restauradora, under the auspices of the bankers Jecker de la Torre and Company, the French minister, and several prominent Mexicans.[13] The government conceded the land mines, and placers to be occupied; and Raousset bound himself to bring at least 150 Frenchmen, fully armed, with which to discover and hold possession of promising tracts, and to

[10] In the *Cumberland*, bearing 88 men, each of whom subscribed $40.50, *Id.*, 115-17. S. F. *Herald*, May 26, 1852, and *Sonoreuse*, Feb. 4, 1853, differ as to the number. *N. Pac. Rev.* i. 18.

[11] Sonorans subscribed more than $1,100 for them. They captured horses from the Apaches and received provisions, implements and breads. *Sonoreuse*, May 14, 1852; Feb. 4, 1853. A writer in *Alta Cal.*, Aug. 16, Oct. 5, 1852, denounces them as an idle ungrateful set.

[12] Lachapelle believes by the hand of one of the many men hurt by his haughty sudeness. Vigneaux, *Mex.*, 186, thinks by officials who became alarmed at their lack of faith with such a man. Impelled by fever and despair, says *Saint Amant*, *Voy.*, 118-19. 'Un mystère.' *Madelène*, 90. This occurred within a few months after arrival.

[13] Including President Arista and Governors Aguilar and Cubillas of Sonora, according to Vigneaux, who accords the actual formation of the company to Raousset, with Jecker & Co., for nominal heads.

protect them against Apaches, so as to permit the unfolding of agricultural and mining enterprises, in consideration of receiving half of all the lands, mines, and placers.[14]

Assured by contracts, and provided with funds[15] and letters to Sonoran officials, Raousset quickly gathered a company at San Francisco of over 260 men,[16] and reached Guaymas in the *Archibald Gracie* on June 1, 1852, The people accorded an enthusiastic reception, but the officials classed the party as rivals and intruders about to encroach upon their privileges and lower their prestige as military and civil guardians. One cause for the change lay in the machinations of another company, founded under the auspices of the rich firm, Baron, Forbes, and Company, which had won over with shares the leading men of the state, including several of the shareholders of the Compañia Restauradora[17] and General Blanco, military chief, and sought to delay, if not break up, its rival. After many protestations of loyalty, and having assurances from Mexico, the party was allowed to advance from Guaymas, and disregarding the order for marching

[14] According to the MS. statutes of the Compagnie de Sonore formed by Raousset for this purpose, at S. F. Of this company he declared himself sole founder and chief, assisted by a council of officers partly chosen by himself. It was to exist till Jan. 1, 1856. The discovery tour ended the company. 'The company shall select the point for settlement. The members need not work; this will be done by Mexicans, who pay them a share of the yield in return for protection. This sum, as well as profits from the trading monopoly, will be divided monthly, each member receiving one share; squad chiefs, two parts; section chiefs, three parts; and Raousset such proportion as may be fixed by the company.' Equal shares were subsequently agreed upon. Promotion according to merit. A list of members follows, up to 271; then names of officers. *Exped. Son. Archives*, MS., 1–17.

[15] The Restauradora Co. placed $35,000 at the disposal of their agent, for supplies, etc., with $25,000 more in prospect. *Universal*, July 15, 1852.

[16] Out of twice that number, Americans being as a rule rejected out of consideration for Mexican jealousy. The men had mostly served as soldiers or sailors. Both French and Mexican consuls had to interfere to pass the armament at S. F., the officials there objecting at first.

[17] *Warren's Dust and Foam*, 204. Hall, *Son.*, MS., 96, assumes prior formation to the former. Even Arista was bought, says Vigneaux, *Mex.*, 190–1. The contract with Raousset was declared illegal. *Pinart, Doc. Son.*, v. 67–9, and the land in litigation. Correspondence with officials and comments. *Id.*, 6.) et seq.; *Sonorense*, Sept, 24, Oct. 1, 8, 1852; *Alta Cal.*, Nov. 22, 1852; *Madeléne*, 115 et seq.

through Arispe, the military headquarters, they hastened on from Hermosillo to Saric, the ex-mission on Rio del Altar, designated as a base for operations.[18]

The enraged Blanco now sent an ultimatum, requiring the French to take the oath of allegiance to Mexico, and place themselves at his orders, retaining Raousset for captain, or reduce their party to fifty men, attended by a Mexican officer; otherwise to apply for cartas de seguridad as foreign residents, and thereby renounce all right to take possession of lands or mines. To renounce French nationality and become Mexican soldiers was generally objected to: to reduce the force would be suicidal, and to abandon the aim of the expedition was out of the question. The terms were accordingly rejected, on the ground that the contracts had been made under official auspices at Mexico, without any demand for such conditions or restrictions. They had undertaken a costly enterprise, relying on the good faith of the Mexican government, and would not at this stage be imposed upon. They would appeal to the people.[19] Blanco threatened to hold them as pirates, and sought to undermine Raousset's influence. This roused the latter to action. He made a tour through the districts adjoining Saric, which were embittered by the neglect of the authorities to protect them against the Apaches, and obtaining promise of their support, he sent agents to San Francisco and Mazatlan for reënforcements and stores.

This effected, he started southward with 250 men, ragged and half shod, and four pieces of artillery, including the remnant of Pindray's colony.[20] He

[18] And where supplies had been collected. They arrived here early in August, a delay which had already created discontent and called for firm action by Raousset.

[19] 'Je ne demande plus qu'un bon sens public un appui,' etc. Letters in *Lachapelle*, 116.

[20] Under Lachapelle, brother of the author quoted above. This addition estimated at from 40 to 70 men, barely covered the loss by desertion and death. The infantry, 8 sections of 28 men each, stood under Fayolle; the

kept his route secret, in order to surprise the important town of Hermosillo, with over ten thousand inhabitants, and with this advantage to dictate demands for justice, as he declared to some, though really to proclaim the independence of Sonora, sustained by the frontier allies, and by the immigration to be invited. A love affair induced him to prolong his halt at Magdalena, and enabled Blanco to anticipate him in the occupation of Hermosillo; so that on presenting himself here, October 14th, he found fully one thousand men prepared to defend the place.[21] A commission from the prefect came forth to propose an arrangement, evidently to detain him. Raousset's reply was to draw his watch—it was eight in the morning. "Tell the prefect," he said, in a sharp, decisive tone, "that within two hours I shall enter Hermosillo, and by eleven I shall make myself master of it, if opposition is shown." A deafening cheer behind him gave endorsement to his words.

He placed his train within a building, under a score of men, made his dispositions, and advanced to the assault. The objective line presented the usual Mexican town front of one-story adobe walls, with muskets protruding from windows and over roof parapets, and with approaches barricaded, though not very strongly, owing to the promptness of the attack. A shower of bullets greeted the foremost body, but urged by their officers they pushed forward, now at a run, and assisted by a ladder carelessly left against a dwelling, they quickly carried it. The guns were brought up to clear the streets with grape-shot, and under their cover the French followed the retreating troops to the plaza. Here the militia distinguished itself by maintaining a firm stand until guns arrived to sweep its ranks. After this it was mere flight, led by Blanco

artillerists, 26 in number, were chiefly sailors; Lenoir led the 42 horsemen. *Madeléne*, 173–4. Fossey adds a few to the total; Vigneaux reduces it greatly.

[21] *Pinart, Doc. Son.*, v., no. 1,107. The supreme authority took steps to support Sonora. *Mex., Archivo*, i. 145–6, 150; *Warren's Dust and Foam*, 205.

himself, and followed by the execration of the entire country. Raousset had kept his word; within the hour he held undisputed possession, but at a cost of 17 killed and 25 wounded, the former embracing six of the leading officers. The Mexican loss was placed as high as two hundred killed and wounded, three guns, a banner, a mass of war stores, and numerous prisoners.[37]

The victory proved sterile. The supposed allies failed to second the movement, as agreed upon, and Gándara and other prominent Sonorans turned a deaf ear to the invitation to join Raousset in plans for following up the advantage in behalf of the state. The intentions of the strangers were suspected, and few dared to face the cry against them of aiming at foreign annexation. This sufficed to rally national defenders, with the assurance of speedy aid from Sinaloa and other states.[38] At this critical moment, moreover, the count was stricken down with a long threatening climatic fever, and despondency and discord pervaded the camp. The only prospect centred now in the reenforcements to come from California, and as it appeared hazardous to remain in the interior, cut off from supplies by the gathering nationalists, it was decided to occupy Guaymas, whence communication could be had with any point. The march from Hermosillo was seriously harassed.[39] On nearing Guaymas, the prostrated Raousset accepted an armistice, and allowed himself to be carried into Guaymas for treatment. No satisfactory news being obtained from the chief, his demoralized followers entered into nego-

[37] Blanco reduces the loss to a mere trifle. *Universal*, Nov. 17, 1852. Hall, *Son.*, MS., 97-8, has 39 killed. Rivero, *Hist. Jal.*, iv. 317-18, speaks of plundering, and so Güereña. French writers deny this. *Lachapelle*, 125-7. Court-martial with severe penalties was invoked upon Blanco. See *Español*, Nov. 17, 20, 1852; *Voz, Pueblo*, Nov. 24, 1852; *Sonorense*, Dec. 24, 1852; Feb. 11, 1853; *Alta Cal.*, Dec. 7, 1852; *S. F. Herald*, id.; *Echo Pacif.*; *Hayes' Scrapp. Ind.*, i. 203.

[38] For defence movements, see *Universal*, Nov. 26, Dec. 3, 1852; *Español*, id.; *Pinart, Doc. Son.*, v. 105-10, 129. War vessels were to come from Mazatlan; Guaymas was to be fortified.

[39] At Arispe the Mexicans claimed a victory over the rear, with a loss to it of six killed and four captured. *Universal*, Dec. 3, 1852.

tiations with Blanco, acknowledged their error, and consented to surrender their arms in return for an indemnity of $11,000. Most of them thereupon departed.[25] The comandante-general made so effective a flourish at Mexico with this success that, although soon replaced in command, he maintained both his rank and influence.[26]

Blanco's recall was hastened by the overthrow of Arista's administration, by the allied Santannists and church party, which led to the establishment of a dictatorship under Santa Anna, with centralist tendencies. Like the other states, Sonora was once more lowered to the grade of a subordinate department;[27] the legislature, frequently inharmonious and inefficient, was replaced by a council,[28] and the elected governor, M. M. Gándara,[29] after temporary suspension, was in May 1853 confirmed as an appointee from Mexico,[30] and honored with the order of Guadalupe, for which he showed his gratitude by advocating the prolongation of Santa Anna's absolute power. The dictator's fancy veered, however, and in the following year Yañez entered as governor, Gándara being relegated to the rank of second.[31] This course was suggested partly by the spreading revolution of Álvarez in Guerrero and the prospect of filibuster invasions, which required the presence of a firmer and more reliable military commander than the variable and influential Sonoran[32].

[25] The capitulation, so called, was arranged on Nov. 4th. The indemnity was mainly pressed from the frightened inhabitants of the port. *Sonorense*, Nov. 12, 19, Dec 10. 1852.

[26] Figuring in Oct. 1853 as president of the council of generals for the pension department. *Nacional*, Dec. 9, 1853.

[27] Divided into eight districts, the Yaqui and Mayo pueblos being subjected to Guaymas and Álamos. *Nacional*, Dec. 16, 23, 1853. A ninth district was added in 1854.

[28] Names, etc., in *Pinart, Doc. Son.*, v. 172.

[29] Chosen Dec. 1852 with deputies; names in *Id.*, 134–5, 140, 150–1, 15. The governor ad int. was M. Paredes Gándara took possession on Feb. 1, 1853. *Gándara, Manif.*, 17.

[30] Cubillas was in April selected to replace him.

[31] Yañez took possession April 20th.

[32] He promptly procured a formal disavowal of Alvarez' movement in favor of his patron. *Pinart, Doc. Son.*, v. 228–31.

Walker had already started upon his expedition to Lower California en route for Sonora, and excitement here was wrought to a high pitch. So many well-to-do citizens hastened away to escape the storm that restrictive measures were issued.[46] Every vessel arriving was regarded with a suspicion and fear, that led to more than one infringement of international law, with consequent reclamations.[47] The United States consul found it prudent to leave.[48] Everywhere along the coast and frontier preparations were pushed for defence, with assistance from the government toward organizing the national guard and friendly Indians as defensores.[49]

The name of Raousset de Boulbon was coupled with nearly every rumor of aggression, partly as associate of Walker; but this connection he objected to, and had indeed declined. He had aims for his own aggrandizement, which were hostile to the United States and depended on the good-will of the Sonorans, who, like his own French supporters, disliked Americans.[50] After his recovery in Jalisco from the Sonoran fever, he went back to San Francisco, there to receive the flattering consideration evoked by the achievement at Hermosillo, and to resume his plans for the apparently easy occupation of Sonora. A landing once effected with the aid of the numbers

[46] Passports were enforced: servants had to be returned, and funds deposited for maintaining a private soldier.

[47] In Nov. 1853 the *Carolina*, and in Feb. 1854 the bark *R. Johnson* were boarded; also the *Trophonia*, with some Germans on board; and in March the two score of passengers by the *Petrita* from S. F. were arrested and taken to Mazatlan as accomplices of Walker, but had to be released in May. Several obtained heavy damages. *Alta Cal.*, March 31, April 1, May 25, etc., 1854, *Sac. Union*, July 10, 1871. The interference of the British war vessel *Dido* raised additional trouble. *Fanes, Defensa*, 31-40; *Nacional*, May 20, 1854. Rivera's version, *Hist. Jal.*, iv. 507–8, differs somewhat.

[48] J. A. Robinson was driven to Mazatlan. *Alta Cal.*, Jan. 3, April 1, 1854. B. Roman succeeded him.

[49] Of whom over 700 stood armed before the end of 1853. *Rivera, Hist. Jal.*, iv. 451. In Nov. the garrison of Guaymas was estimated at 800. For orders, rumors, and measures see *Nacional* and *Sonorense*, May, June, Oct., Dec., 1853.

[50] While Walker intended a repetition of the Texan farce, Raousset openly proclaimed 'quod, voulait faire venere démocratique et nationale.' *Figueroa, Mex.*, 207, 212.

that had offered themselves at the first news of his victory, means must flow from the Guaymas custom-house and auxiliaries from the liberated state, ready for wider movements.[38] The projectors of the Compañia Restauradora were willing to avail themselves of services such as he could render, and Levasseur, the French minister at Mexico, had undoubtedly political reasons for an enterprise that might, if successful, lead to great ends, with fame for himself.[39]

The strength of the federalists served to magnify to Santa Anna the danger to be apprehended from the young Frenchman, and when Levasseur sounded him as to compensation or a renewal of the Sonoran mining scheme, he was urged to invite his protegé to Mexico, through the equally interested Consul Dillon of San Francisco. Raousset came in the middle of 1853, although with little faith in government assurances, and after being kept in suspense with promises for about four months, received instead of grants and contracts the offer of a colonelcy in the army.[40] He hastened back to California, in league with the federalist rebels and thirsting now also for revenge. After chafing for awhile under the lack of means, he obtained in January, 1854, liberal offers from several capitalists,[41] and at once took steps to carry out his plans, by enrolling men, buying armament and securing vessels.[42] Just then came the rumor that Sonora had been sold to the United States, and this, together with the closer watch now placed by California au-

[38] Letters in *Madeléne*, 200–1, 215. A few promises from Sonoran schemers, as glowing as they were unreliable, made him forget the deception already suffered there; and the vague offers from a San Francisco capitalist and from needy agents sufficed to give him food for formidable plans.

[39] Without risk of being compromised. Napoleon's expeditions to China, and later to Mexico, and his operations against Russia and other European powers, afford ground for belief that he stood prepared at least to profit by movements like the Sonoran.

[40] Vigneaux, 199, and Duvernois, *L'Interven.*, 37, swells it to the position of general.

[41] Three houses offered $300,000. *Madeléne*, 215.

[42] Three vessels were chartered with aid of French merchants, reported the Mexican consul. *Pinart, Doc. Son.*, v. 223, 219; *Rivera, Hist. Jal.*, iv 489.

thorities upon filibuster preparations, caused the withdrawal of timid capital. A perfidious agent at Mazatlan having moreover disclosed to the government the correspondence of Raousset with its enemies, he was placed beyond the pale of Mexican law, and even Consul Dillon now turned the cold shoulder."

Before Santa Anna became aware of the paralyzing effects of these happenings, he resolved to counteract Raousset's manœuvres by ordering the Mexican consul at San Francisco to deprive him of his support, by enlisting a few hundred of the aspiring filibusters for Mexican service,[1] with a view to distribute them in small and easily controlled bodies among the coast states. Raousset was delighted. He saw relief for his stranded scheme in this offer of free passage and maintenance for his followers, and urged as many as possible to avail themselves of the unexpected opportunity. He was not aware of the distribution clause. In fact, about 700 were quickly enrolled and packed on board the *Challenge* for shipment.[2]

This being a movement by foreigners, which, moreover, threatened the pet hero Walker, the authorities suddenly awoke to the enormity of such infringement of neutrality and enlistment laws, and arraigned the Mexican representative as well as his abettor, Consul Dillon.[3] Nevertheless the *Challenge* was allowed to depart, on April 2d, after a reduction of the passengers, under a resuscitated tonnage law, to barely 400.

[1] The correspondence was given to Mexican journals. See *Nacional*, Mar. 17, 1854.

[2] At $1 a day, with privilege to elect their own officers. Order of Jan. 31, 1854. After the expiration of their term of service they were to receive aid for settling. Americans were not to be enrolled. *Diario Ofic.*, 20, Oct. 12, 1854.

[3] They were sent in small detachments by successive steamers or other vessels; but the consul overstepped his orders in the eagerness to handle money. *Exposicion, Mex.*, 20–1, 161.

[4] For which exciting episode I refer to *Hist. Cal.*, vi., this series. See also S. F. journals of April–May, 1854. The persecution was favored by supporters of Walker. Lachapelle, 171, assumes that the U. S. opposed the enlistment chiefly because it threatened their designs on Mexico. *U. S. Gov. Doc.*, cong. 33, sess. 1, H. Ex. Doc., 38, 4; *Id.*, cong. 33, sess. 2, Sen. Doc., 16, 25, vi. The Mexican consul stupidly misunderstood orders. *Diario Ofic.*, 3–6.

of whom fully four fifths were French, the rest Irish and Germans. Among them were Laval and Lebourgeois Desmarais, the latter an ex-officer of the French cavalry of little value, but whose pretensions and imposing military bearing led to his election as chief of the party. To them Raousset confided his wishes and plans to hold the men in readiness for sustaining him, when he should appear to initiate the revolution.[47]

The increased watch upon his movements and the lack of means prevented Raousset from following the expedition as soon as he had hoped. The discomfiture of Walker had much to do with this, and his expected return to San Francisco, which threatened to involve the count in legal toils, hastened his departure. He had to content himself with buying a pilot-boat, the *Belle*, of about ten tons burden, into which he stowed himself with four companions and two sailors, 180 rifled carbines with sword-bayonets, and necessary stores.[48] After a voyage of 35 days, attended by privations and partial wrecking, he arrived close to Guaymas toward the end of June. Two companions were sent to find Desmarais and instruct him, if possible, to carry the town by surprise, disarm the Mexicans, and collect resources. The messengers were suspected and seized before entering the town; yet, by concealing their identity, they managed to communicate with the French commander. With little taste for the enterprise proposed, he declared that a better plan might be formed in alliance with General Yañez, who stood ready to break with Santa Anna.[49] Thus assured, Raousset sailed into the harbor on July 1st, transmitted the much needed armament to his party, and hastened to interview Yañez.

[47] According to Vigneaux, Dillon became friendly again and an agent was sent to offer Santa Anna peace or war, when all seemed ready in Sonora; else to arrange with Alvarez. *Mex.*, 201.

[48] Vigneaux, who joined, describes the crew and the trouble with sailors and the difficulty in crossing the bar. *Mex.*, 25–6.

[49] Seemingly content to enjoy his pay and position. Desmarais had neglected the former injunctions of Raousset to prepare his men for a blow, to win over the citizens.

The latter had been instructed to break up the formidable body of enrolled adventurers by sending them in detachments to different points, and so remedy the error of the consul. To this the French naturally objected. They recognized that their strength and, perhaps, safety lay in keeping together; and with his inferior force Yañez could not well enforce compliance, although adding as little as possible to their armament. He, moreover, felt it necessary for the sake of peace and harmony to propitiate them by prompt attention to their pay and comfort, until the government at Mexico well nigh lost patience. He succeeded, however, in fostering a local antipathy toward them by insinuations concerning their purposes, and in provoking most of the Irish and Germans to withdraw and form a separate company.[50]

The suave Yañez received Raousset's overtures for joint action in the same spirit as Santa Anna, and kept him in suspense until he should be able to summon help against the outbreak that must inevitably come. Two agents were placed at his elbows to restrain his impatience with promises of Sonoran coöperation, and to keep the general advised.[51] Had the count acted promptly he would, no doubt, have gained possession of Guaymas at least, for his opponent was hardly prepared. Outwitted by the Mexican, he allowed the opportunity to slip away.[52] The Sonoran troops were daily increasing in strength, and busily bringing in armament to strengthen their barracks. Made confident by number, they naturally raised their tone during frequent drunken altercations.

[50] For correspondence between Yañez and the authorities, see *Yañez, Defensa*, 20 et seq.; *Picard, Doc. Sen.*, v. 228–35; *Nacional* and *Sonorense*, April, 1854, et seq.

[51] Promises were also received from principals, but Raousset should have understood their value by this time. The battalion presented him at this time with a sword. Guereña paints Yañez at firmly opposed from the beginning to the count, whom he warned by saying, 'al lado de su espada está una bomba y al lado de la mia esta una deber.' *Proyectos*, 9.

[52] Vigneaux attributes the delay mainly to the intrigue of the French officers to get rid of one who threatened to assume sole command and to exchange their easy life for one of danger and privation. *Mex.*, 216–17.

one of which led to a serious encounter on July 12th. Yañez appeared upon the scene and managed by his conciliatory language and influence in calming the French. Those who had shared in the triumph at Hermosillo were eager for the fray, however, and the entry shortly after of large Sonoran reënforcements roused the alarm of the others and impelled Raousset to action. "If you are content to become Mexican soldiers without pay or prospects, subject to the lash, then lay down your arms; but if you desire to be worthy of the glorious appellation of Frenchmen, to resist oppression, to vindicate your rights, to uphold nationality, then raise your arms. Decide; there is no time for hesitation." Marchons! Marchons! resounded on all sides.

Now came the cry that he should assume the command. "No," he replied, "you have worthy officers. Let me not be the cause of disagreement. I join you as a volunteer, whose sole ambition is to be foremost in danger." It proved a sadly regretted modesty. There were still those who hesitated; and in obedience to their scruples a demand was sent to Yañez for hostages and guns as guarantees of peace. This being refused, the French made their dispositions, and marched from their quarters against the Mexican barracks in four companies of 75 men each. The barracks in the northern part of the town formed a large parallelogram, three sides of which presented one-story brick and adobe buildings, and the fourth a wall twelve feet high, enclosing the usual court-yard. The flat roofs were provided with sheltering parapets. Facing the barracks and extending to the bay-landing was the Hotel de Sonora, one-storied like the other dwellings.

The plan was for companies two and three to attack in front while company one drew attention to the rear, and company four occupied the hotel and the German quarters near by, whence sharpshooters could inflict serious damage until company three gave

the signal for a general assault. It was declared that Mexicans could not face the bayonet, and an early charge was moreover necessary, owing to the scantiness of the ammunition. The garrison was known to be superior to the attacking body, and provided with several pieces of artillery and an abundance of ammunition; but Raousset spoke cheerily of the larger conquered force at Hermosillo, and assured his men that untrained militia and Indians need give no concern.

As companies two and three approached, the Mexicans opened with artillery and musketry so sudden and galling a volley that a number were mowed down at one sweep, including some of the bravest officers. Desmarais completely lost his head and fell back, a proportion fled, and the rest hied into gateways and houses, and beneath walls for shelter, while preparing each for himself to sustain a scattering and useless fire. Company one shared in the disorder, and neglected to follow given instructions; company four obeyed in taking possession of the buildings indicated, partly because these afforded a retreat, yet its rôle was secondary. Too late Raousset assumed command, seeking to rally the men. He flew hither and thither with fearless disregard of bullets, and imparted an animation that roused many a one to valiant imitation; but more than twenty men he could not gather at a time.

For nearly two hours the desultory warfare had continued, when the Mexican artillery grew silent. Company four had done good service in picking off the gunners. "A la baïonette!" shouted Raousset, and led to the charge with a handful of men. A shower of bullets met him, riddling his cap and clothing, without inflicting a wound. "En avant!" he cheered, rushing forward; but only a few followed him, and none seconded the movement. "Had only fifty resolute companions sustained him the barracks must have fallen," declared Vigneaux. As it was,

the count had to retire bareheaded, and with two bayonet thrusts through his sleeve; his eyes glistening with impotent rage.

These raiders were not the men of 1852. Nor was Yañez a Blanco; for on observing the silence of the guns he rushed in person to fill the posts and reanimate the artillerist in time to break the rally about to be effected by Raousset. With ammunition gone the French now raised the cry, "To the consulate," and thither their dejected leader mechanically followed, with the Mexicans in close pursuit. At the consulate the news came that company four was still holding out in the hotel. Raousset made one last appeal, and this passing unheeded, he sheathed his sword, and withdrew into the house. Consul Calvo then hoisted the white flag, and the firing ceased, a circumstance to which the mutilated remnants of the fourth owed their escape. As for the *Belle*, she was already under sail, crowded with the earliest fugitives, whose shame she buried in the waters of the gulf.[53]

It was now past six o'clock, about three hours since the fight began, and the troops around the consulate were clamoring for surrender. "All who lay down their arms," said the consul, "shall be placed under the protection of the flag, with life assured." "But M. de Raousset?" came the enquiry. Calvo hesitated. "Unless he is included we resume the fight," cried several voices. "Well, his life shall also be assured," was the reply. Yañez declined to enter into any formal or written capitulation while offering life in return for a surrender of arms. Within an hour the defeated participants in the struggle lay secured within the two prisons of Guaymas, the property of residents being placed under confiscation. The victory was celebrated throughout the state in the usual

[53] She was wrecked in the northern part, and all on board perished. *Lachapelle*, i. 97. Fossey, *Mex.*, 201–2, leaves the impression that Raousset sought her, to escape; but this is not entertained by others.

Mexican fashion, and the supreme government conferred crosses and badges in commemoration. It was dearly bought glory, however, for the Mexicans lost some 50 men, with twice as many wounded, while the French had 46 killed and three-score wounded.

During August the prisoners were disposed of. A few joined the army, three-score were sent to San Francisco, and the remainder transmitted to San Blas. The government showed its disapproval of the leniency and liberality accorded by imposing a sentence of years in presidio, and marching them under great hardships to Perote. At the intercession of the French government, however, they were released toward the close of the year. The large forces gathered by Yañez against the French made the government more ready to listen to the rumors concerning his loyalty, and he was not alone suddenly replaced in September by General Romeriz de Arellano, but an attack was made upon his reputation by calling him to answer charges for not carrying out his orders against the French on their arrival, for subsequently neglecting prompt measures, for ignoring the decree of August 1853, which condemned rebels to death, for usurping the pardoning power of the supreme authority, and for extravagant disposal of funds. He was absolved, however, and the indictment only served to heighten his fame.[54]

Ten days after the battle Raousset's fellow-prisoners were startled by his arraignment before a court-martial, which upon the inculpating testimony of his own officers, who sought to cover themselves at his expense, condemned him to death as a conspirator and rebel. Their indignation grew on finding that the consul not only repudiated his promise at the time of the surrender, but refused even to join the

[54] The French addressed a letter of thanks to him and he was fêted and honored in different places. *Correo, Esp.*, Oct. 21, Nov. 8, 1854. *Pinart, Dos. Sec.*, v. 250-4. Santa Anna was driven to abuse Yañez by fear and jealousy of his popularity. *Santa Anna Rev.*, 130-2. His successor commended Yañez' conduct. *Navarro, Leyes*, 1855, 507-8.

United States representative in pleading for the prisoner. The latter accepted the verdict calmly, and turned his attention to final letters and dispositions, and to intercourse with the broad-minded curate of the place, claiming that he fell for loyalty to a great cause, untarnished by an appeal to bad passions, which he might so readily and successfully have invoked. On the last morning, August 12th, he gave special care to his person, and with a final brush to his fine hair, and a twirl to the mustache, he followed the guard. He passed with dignified step through the streets, crowded with excited citizens and visitors, and took position before the squad of soldiers at eight paces, his back to the bay. The sentence being read, he embraced the curate, and said to the men, "Allons, mes braves! Do your duty; aim well—at the heart!" The next moment came the volley, and the count fell dead upon his face.

Raousset de Boulbon was a man in whom an exalted temperament, and a strong family pride heightened by poverty, had fostered a bent for ambitious though visionary projects which belonged to another age. Circumstances presented a field, however, wherein enterprise and daring procured for him in 1852 a certain degree of fame, dimmed by an unsustained and ill-applied energy and a lack of generalship that cost him many followers. He lacked the clear, steady head required for planning and executing a great undertaking, and his positive traits were not sufficiently balanced or impressive to maintain a wide influence over followers or patrons. Hence his comparative failure to profit by the éclat of the victory at Hermosillo, which he moreover had neglected to follow up; hence his feeble control over the men at Guaymas, of whom even the proportion that favored his assumption of the command held aloof when he finally called upon them. His prominent qualities were an extreme but somewhat shallow courage, and a certain fervor, united to a pleasing personal appear-

ance, and withal an indifference to a life, being now without means or notoriety. He did not regard his plans as wholly frustrated. Far from it. He by no means disdained death as a sequel to the Guaymas episode, and passed to the grave with the firm conviction that he had embalmed his memory with glory, if not as a conqueror, at least as an unfortunate Sonoran liberator and martyr. It was a glory, however, which history largely dilutes with folly.[55]

[55] *Henry de la Madeléne—Le Comte Gaston de Raousset-Boulbon, sa vie et ses aventures d' apres ses papiers et sa correspondence.* Paris, 1876, 12 mo., pp., vii., and 322, is the title of the first edition of a work published in 1856, which was rapidly disposed of, and a second, issued in 1859, which met with a smaller sale. Suddenly the large portion of it remaining disappeared. According to Madeléne's statement, every copy had been bought up by the banker Jecker, to whom the Mexican government was deeply indebted, and who in 1861 went to Paris and was endeavoring to move the hesitating emperor to enforce the payment of French claims by the military occupation of Mexico, with the additional object of preventing that country from absorption by the U. S. Jecker distributed the copies of 1859 edition, and its author claims that its influence was such that the scruples and hesitation of Napoleon were overcome, and the expedition against Mexico was undertaken.

Ernest Vigneaux, Souvenirs d' un Prisonnier de Guerre au Mexique 1863-5. Paris, 1863, 8vo., 1 vol., pp. 565, was secretary to Raousset de Boulbon, and was one of the passengers on board the *Belle*, which carried the leader of the expedition against Sonora. His book opens with some description of Cal., especially S. F. Being intimate with Raousset he was able to give considerable information about him.

A. de Lachapelle—Le Comte de Raousset-Boulbon et l' Expedition de la Sonore, Correspondence—Souvenirs et Ouvres Inédites. Paris, 1859, 12 mo., pp. 318, portrait and map. The author of this work, the chief editor of the *Messager de San Francisco*, was yet more intimate with the unfortunate count, whose history is the subject of this book—'jusqu au point de connaitre ses projets les plus secrets,' as he informs us—and aided him in the organization of his enterprises. The work opens with a biographical account of Raousset's career before his arrival in Cal., after which his history is continued down to the time of his tragical death. While engaged in his work numerous documents were sent by friends of the count to Lachapelle, who publishes his correspondence, as well as a number of his poetical productions.

CHAPTER XXVII.

FRENCH OPERATIONS IN SONORA AND SINALOA

1854–1866.

EFFECT OF THE GADSDEN PURCHASE—CRABB'S COLONY SCHEME—GÁNDARA'S REVOLT AND DEFEAT—CRABB'S DEFEAT AT CABORCA—THE WHOLE PARTY SHOT—JECKER'S SURVEY AND TROUBLES—CONSERVATIVE REACTION IN SINALOA—FREQUENT REVOLATIONS—TRIUMPH OF LIBERALS IN SONORA—THE FRENCH OCCUPY GUAYMAS—GÁNDARA'S OPERATIONS—SONORA HELD BY IMPERIALISTS—STRUGGLES OF THE LIBERALS—DEPARTURE OF THE FRENCH—TANORI SHOT—SONORA FREE—LOZADU BESIEGES MAZATLAN—THE FRENCH CAPTURE THE PORT—VICTORY OF ROSALES—CASTAGNY'S OPERATIONS—ALTERNATE SUCCESSES OF LIBERALS AND IMPERIALISTS—LOZ AIDS THE LATTER—THE FRENCH RE-EMBARK AND RETIRE.

THE rumored sale of Sonora to the United States, which had tended to frustrate the plans of Raousset, proved not altogether unfounded; for by the Gadsden treaty of 1854 the northern part of the state, including Tucson, was transferred to the neighbor republic, and the boundary pushed back from the natural line of the Gila to between parallels 31° and 32°. The loss of this fertile strip created none of the expected local excitement, owing to the slight value placed upon it as a mere Apache haunt. This closer approach of the United States, though ultimately proving a blessing to the state, at first gave rise to more than one complication, such as the Crabb expedition in 1855, of which more anon.

Yañez had been succeeded by General Arrellano, who, being summoned to Mexico in June 1855, left Colonel Espejo in charge, the latter resigning in the following September, when the people declared for the plan of Ayatla against Santa Anna. Gándara then

embraced the opportunity to seize the vacated seats of governor and commandante-general, and when the administration at Mexico assigned them to José de Aguilar and P. Espejo respectively, proclaimed a revolution. Though obliged to yield to Aguilar, Gándara succeeded in retaining his position as chief-commandant with the aid of Yañez.

Shortly after Crabb's project to establish a frontier colony was brought forward, being favored by A. Ainza, with whom Crabb was connected by marriage. Aguilar opposed the scheme, but because as governor he had to communicate with the projectors, Gándara raised the cry that he was about to sell the state to filibusters, and incited one Davila to pronounce against him at Ures July 15, 1856. Aguilar was arrested and replaced by R. Linares, a creature of Gándara. Aguilar, however, found a champion in Ignacio Pesqueira, colonel and inspector of the national guards who acting with promptness and dash, secured a foothold in Ures July 17th, and on August 8th compelled the garrison to surrender, securing the person of the rebel governor, Encinas. On the same day Gándara was routed; Altar fell, Hermosillo was evacuated, and Guaymas had to yield. Thus within a few weeks Gándara, whose power had seemed absolute, was overthrown. Appealing in person to the Yaquis, and aided by the clergy, he was able to take the field anew, but defeat following defeat, he betook himself to Mexico to appease by diplomacy the wrath he had failed to avert by victory. His brother Jesus continued the struggle, chiefly in guerilla form, till in Jan., 1857, he surrendered with his few remaining adherents.

The struggle had been watched with great interest by H. A. Crabb, who during its progress became convinced that the strife between the two great parties presented an excellent opportunity not only for carrying out the proposed colony project, but for extending it to an actual conquest of the state. If Walker and Raousset had so nearly achieved their object against a united province, how much easier must it be to effect it against one so torn by factions.

Enrollments proceeded well, and early in 1857 Crabb, as general, set out with an advance of five score men, in three companies, by way of Los Angeles and Yuma. Although well-armed, their scanty means did not permit the purchase of sufficient animals to mount the party. Toward the end of March they appeared at Sonoita, on the Sonoran border, and learning that the people were making formidable preparations for meeting them, as filibusters, Crabb addressed a threatening letter to the prefect, declaring that he had entered as a friendly colonist, and would continue his march notwithstanding the hostility. 'If blood is shed, on your head be it.' Leaving 20 men to follow more leisurely, he advanced with 60 to Caborca, near the port of Libertad; where the main party of 180 men should by this time have arrived by sea; but the lack of funds and the measures of the authorities in California prevented their departure. In addition to this disappointment he was suddenly attacked on entering Caborca, April 24, by a company of troops, which, being repulsed, took refuge in the convent church, and there held out together with the frightened inhabitants.

Reinforcements soon arrived, increasing the Mexican force to some 700 men with field-pieces, which opened wide breaches in the walls and made havoc among the inmates. The conflict lasted throughout the 5th of April, and was resumed on the following day with unabated vigor. The rifles of the Americans were sparingly used, but with a deadly precision that rendered each member of the band a formidable adversary. Toward evening on the 6th the latter had been driven into the wing of the house, the roof

of which was set on fire with burning arrows. The stifling garrison endeavored to blow off the superstructure, only to cause the explosion of their powder kegs with deplorable results. Terms were hastily demanded, and none being accorded, they marched forth and laid down their arms, to the number of 59, many of whom were disabled by wounds and burns. The Mexicans admitted 28 killed and as many severely wounded.

The prisoners were tied, and early the following morning brought out and shot, in batches, all save a boy of 16 years, whose youth won sympathy. Crabb was reserved for special execution, after which his head was cut off and preserved in mescal. Crabb's rear guard was surrounded and slaughtered, and a reënforcement of about 30 men from Tucson had a narrow escape. As it was they lost four men before regaining the frontier. Much ferment was caused among Americans by these events, but calmed down upon reflection. The Mexicans showed themselves very lenient to previous filibustering parties, and clemency being found to be only an encouragement to fresh undertakings, self-preservation demanded a severe lesson.

Like schemes were promoted by rumors of United States designs on the Mexican border country in the form of purchase, which naturally caused attraction to frontier grants. In August, 1856, Jecker, of Raousset fame, arranged with the government to survey the public domain of Sonora, in consideration of receiving one-third of the land. A surveying expedition was organized, under C. P. Stone, and proceeded with operations, despite objections on the part of the state authorities, until expelled in Oct., 1859. Appeal was made to the United States sloop of war *St Mary*, and the commander interfering, sufficient satisfaction was offered to permit the matter to drop, though Jecker maintained his claim to the land and damages.

The growth of conservative reaction in the republic, which opened the long reform war, had induced the Gándarists to resume the struggle in Sonora, assisted by the church. The Yaquis were again stirred in June, 1857; troops were led to second the movement in Oct., and the war again raged, the Pesqueira side meeting with reverses early in December. Recovering itself, however, the movements of the Gándaristas were practically put to an end in May, 1858, only to revive soon after with co-operation from Sinaloa, whither Pesqueira carried the war.

In this state the liberal-conservative ferment had assumed even wider proportions, owing to its proximity to the cradle of revolution, in Jalisco. The beginning appeared in 1852, when the people of Mazatlan were roused by the heavy contributions levied by Gov. F. de la Vega. Protests becoming demonstrative, the governor marched upon the town with troops to enforce obedience, whereupon the people mustered under Pedro Valdez, attacked and captured him, and took back the extorted money. On being liberated he retaliated by declaring the port closed, whereupon Valdez, being well sustained, marched inland, captured Culiacan, the capital, on Oct. 16th, plundered it, and routed Vega's forces. In Jan., 1853, however, Vega again obtained possession of the city, only to be driven out in March following, taking his flight to Sonora

Toward the close of the year the new administration thought fit to entrust the civil and military control of the state to Yañez, who proved worthy of the charge. By his energy and ability, he remedied the evils of civil war and introduced reforms tending to general prosperity. As these measures were beginning to bear fruit he was removed in March, 1854, to Sonora, leaving Valdez in command.

In Jan., 1856, P. Verdugo, recently appointed governor, proclaimed in favor of the liberals, and though opposed by counter-revolutions prevailed with the assistance of Yañez. In May, 1857, the federal constitution was sworn to, both at Culiacan and Mazatlan. Early in 1858, however, Yañez proclaimed his adhesion to the plan of Tacubaya, which proposed a constitution more favorable to conservatism. This caused a rising of the liberals, Plácido Vega pronouncing in Aug. At the close of Oct. siege was laid to Mazatlan, which was raised at the end of Jan., 1859, owing to the approach

of conservative reinforcements and the lack of ammunition. The Liberals, however, assisted by Pesqueira, retrieved themselves by a brilliant achievement at La Noria, resumed the siege and carried the place by assault on April 3d, capturing 300 prisoners, six vessels, and a great quantity of stores. Vega was now installed as provisional governor by Pesqueira who then returned to Sonora. Early in 1860 the state was invaded by Lozada, the Indian chief of Tepic, but the Sinaloans mustering from all points compelled him to retire. Eight months later Cajen penetrated close to Mazatlan, where his force was completely routed.

For some time men attached to other parties, longing for participation in office, had been trying to set aside Vega's authority, and the continued threatening attitude of Lozada calling for operations on the Jalisco frontier under charge of Corona, Vega's lack of promptness in supplying funds led to a quarrel between the two. The French intervention, however, prevented any outbreak; but when Vega marched early in 1863 to the relief of Mexico, with 2,000 men, the plotters took advantage of his absence to renew their intrigues. On his return he took the field against them, but though victorious in arms, the supreme government was persuaded to interfere, and during 1864, Morales took charge. The change was not satisfactory; Culiacan and Cosalá rose, and at Rosario, in Oct., a plan was formulated by Corona himself, demanding the resignation of Morales, who refusing to yield, Mazatlan was besieged and taken on the 14th, and A. Rosales appointed provisional governor. The president sent Ochoa to assume command, who induced Morales to resign and so allow Rosales to resume the position.

The frequent revolutions in Sinaloa were not without effect in Sonora. On his return Pesqueira found that his old foe Gándara had roused his friends the Ourtas under their chief Tanori, joined by the Yaquis, to proclaim him governor. This led to a protracted struggle, during which Pesqueira had to seek aid of Vega of Sinaloa, until in May, 1861, the Indians were compelled to accept peace.

The Liberal triumph over conservatism in the republic was commemorated in Sonora by the adoption of a constitution conforming to the general one of 1857, which survives in its reconstructed form of 1872. Ures retained the position of capital. Here as elsewhere, the church party accepted its defeat for a time at least, and the Gándarists subsided, leaving the state to recover from the disastrous effect of the prolonged civil war. The outbreak of the confederates in the adjoining republic caused a bubble of excitement by reason of efforts on the part of both belligerents, to obtain the good will of the state for the transit of war material. William M. Gwin, moreover, caused commotion by attempting to form an independent colony in Sonora, a scheme apparently favored at one time by Napoleon, with designs for its annexation to France. More serious was the apprehension roused by the opening of the French intervention in 1862, and when, in May and July 1864, war vessels appeared before Guaymas, a patriotic enthusiasm prevailed, displayed in a call to arms and levying of funds. A large force was collected, but when in March 1865, the French naval squadron arrived before the same port with several hundred troops and a section of artillery, Pesqueira thought it would be a useless waste of blood and property to resist at that point, and after sustaining a night attack upon his camp, in which his force was dispersed in confusion, retired to Hermosillo, where he collected a mere remnant of his forces.

With the invaders came Gándara, who, after a futile effort at revolution in Jan. 1862, and another attempt to inaugurate a movement in behalf of the empire at the close of 1864, took refuge at the court of Maximilian, to urge the occupation of Sonora. He now again appears on the scene, and powerfully supported, once more roused his party and Indian allies, persuading them that the time had come for a successful struggle. Pesqueira retired from Hermosillo, thereby infusing despondency into the hearts of the liberals. The French entered the place July 29, 1865, and the native

imperialists extended themselves in all directions. Besieging Ures, they were repulsed, but an advance by their foreign allies caused its evacuation. Pesqueira, despairing of achieving anything for the time, crossed to the United States to seek support, leaving Morales to maintain alive the smouldering spark of the liberals in guerrilla fashion. The imperialists soon overran the central and northern districts, and extended themselves as far south as Álamos, which held out under promise of aid from Sinaloa under the direction of Rosales. This leader entered with 500 men, but was defeated by the superior forces of Almada September 4th, being slain with about one third of his troops. By this time the French began to concentrate their forces against the possible interference of the United States now freed from civil war, and the force in Sonora was reduced in Oct. to a scanty battalion, with instructions to limit itself to the occupation of Guaymas. This imparted fresh courage to the liberals, who pronounced at Hermosillo in October. The movement gained strength in spite of the efforts of the native imperialists, who were directed by Comandante-General Langberg, a Danish soldier of fortune. With the aid of armament supplied by the Juarist agent in California, Morales in December captured Arispe, and gained a victory at Matapé; but on January 3, 1866, he met with a disastrous check, near Nacori at the hands of Gándara and Tanori. On the 7th, however, Álamos was retaken by Corona's forces under Martinez, Patoni, and Correa. In March, Pesqueira reëntered the state, and on May 4th Hermosillo was captured and sacked by Martinez midst great slaughter. While the liberals were thus occupied in ruthless destruction, Langberg, Tanori, and Vasquez appeared from the direction of Ures with about 800 men. Martinez sallied forth to meet them; and sustaining a complete defeat, the imperialists regained possession of Hermosillo. Martinez retired to San Marcial, where Pesqueira was collecting the fugitives from the battle-field. Being reënforced by Morales, after some fruitless movements between Hermosillo and Ures, Pesqueira and Martinez retreated to the south while Morales returned northward for recruits.

In the middle of Aug. Martinez again gained possession of Hermosillo, but evacuated it a few days later on the approach of Langberg. On Sept. 4th the latter, joined by Tanori, offered battle to the liberals at Guadalupe, near Ures, and a bitter contest raged for several hours. Finally Langberg fell in the front rank, and demoralization seizing his men, victory remained with the liberals. This was the turning point in the struggle. Ures surrendered two days later, Hermosillo was evacuated, and on Sept. 15th the French garrison at Guaymas embarked, abandoning to the tender mercies of Martinez' followers the thousands of families who had adopted their cause. Large numbers had hurried away before the impending storm, and a lingering few now joined Tanori and Almada in escaping across the gulf in two small vessels. They were overtaken, brought back, and executed. By the end of Sept., 1866, the whole state had yielded, save the Yaquis and Mayos. Their subjection was accomplished by Morales in November, after a rigorous campaign. Martinez had been summoned before this to incorporate with Corona, amply appeased with gifts, and soon after Sonoran troops were sent to assist in overthrowing the abandoned Maximilian.

Sinaloa had to sustain a somewhat longer and more direct struggle with the French, who were assisted by the notorious chieftain of Tepic. In March, 1864, a partial blockade of Mazatlan was established and fire opened by the invaders on a portion of the fortifications; but the Mexicans replied so warmly as to compel them to retire. At the close of Oct. Lozada, now an imperialist general, entered from Jalisco, and laid siege to the port with nearly 3,000 men. On Nov. 12th the French squadron appeared and offered the alternative of surrender or bombardment. As resistance offered little prospect of success, the garrison managed to escape during the night, and on the following morning the French took possession of the place after firing a few shots. Vasabilbaso was appointed prefect and assisted to install local authorities.

After leaving 500 men as well the imperialist garrison of the place, Lozada sent the rest of his troops home to agricultural pursuits. The liberals pursued them for awhile and inflicted some loss; then, with their headquarters at San Sebastian proche mustering 2,000 men under Corona, besieged the port, and maintained a guerilla warfare against the movements of the enemy. Several successes gained were encouraging, notably one achieved by Rosales, who met the imperialists, 500 strong, at San Pedro, near Culiacan, and after a contest of two hours routed them, capturing the French leader, Gaudille, and 85 of his men. This victory, which gained Rosales the title of brigadier, was widely celebrated and proved a severe blow to French prestige, in this region at least. His success was partly owing to the activity of Patoni, who had shortly before captured F. de la Vega, their former ruler, and now enlisted imperialist ruler.

The French having now overrun nearly the whole republic, it became necessary for them to extend their sway on the west coast, and Castagny was ordered to remove his headquarters at Durango to Mazatlan. He set out in the latter part of Dec., 1864, with nearly 3,000 men, taking the direct but difficult route by way of Durazno. Corona occupied the mountain passes and meeting with a defeat at Espinazo del Diablo, fell back in the direction of Espanay. At Veranos he fell upon a detachment left there, capturing 50 men and killing 17, but being severely handled by reinforcements of the enemy which arrived, he imprudently, under excitement, hanged his prisoners in reprisal for the execution of liberals elsewhere. The French general, naturally of a severe disposition, took full vengeance in retaliation with torch and sword. Thus was inaugurated in Sinaloa a warfare which, for the time, seemed one of extermination.

The Mexicans were now only able to prosecute the war around Mazatlan in guerilla fashion, and though two flying squadrons were organized against them, their superior knowledge of the ground, and the aid afforded them by the people, enabled them to approach up to the very gates of the town. The French, therefore, carried their operations into districts beyond, and burnt down San Sebastian, Mazatlan, Guacimas, and Copalí, the estates and ranchos of known adversaries being given to destruction. This only increased exasperation, which was severely felt by outposts. Greater numbers were needed to clear the country, and Lozada was again invited. He brought in April 3,000 Indians, and from Rio de las Cañas to San Ignacio the country was swept of liberals. Corona was so discouraged that he departed to join the campaign in Durango, and advised his subordinates temporarily to submit.

Meanwhile the liberals weakened themselves by partisan quarrels. A revolt compelled Governor Rosales to resign in favor of Corona, who thereupon appointed Domingo Rubí, who was confirmed by Juarez. Then commenced hostile proceedings between Rosales and Rubí, which were terminated by Rosales being summoned to aid the Sonorans, in whose cause he fell.

In August Corona returned and the struggle was renewed, Correa, Parra, and Martinez being conspicuous as leaders. In Dec. 1865 the town of Escuinapa was captured and recaptured several times, Martinez finally passing into Sonora, as already narrated. Southward Rubí confined himself to ravaging the Mazatlan region, while Corona gained several successes, one of which was the taking of Acaponeta with much booty. Operations were now resumed against Mazatlan, where only a single battalion of Foreigners had been left, and as heretofore the aid of Lozada was employed. Co-operating with this division, who had returned to Tepic in the autumn of the previous year, the French with about 1,000 men captured Presidio de Mazatlan, March 19, 1866. Corona, with over 2,000 men, now placed himself between them and Mazatlan, and then assailed the enemy with such pertinacity that he finally compelled him to fight his way back with heavy loss.

Lozada, who had occupied Rosario with 2,000 Indians, now hesitated to advance, but induced by a promise of a simultaneous advance of the French, moved onward. When near Concordia, he was attacked by Corona and,

though victorious, sustained a loss of 200 men. Similar attacks, bootless raids, and the non-receipt of money from Mazatlan, induced him to return to Tepic, and declare his neutrality, with an aim at independence.

Guzman was sent to watch this formidable chieftain, while Corona pressed closer the line of investment round Mazatlan. The aspect of affairs improved; auxiliaries poured in; American sympathy assisted, and a goodly supply of arms was obtained. The United Sinaloa and Jalisco brigades were transformed and organized as the Army of the West, with Corona as general-in-chief, to whom the governor of Sinaloa, Jalisco, and Colima was subjected. Several engagements followed in the district of Mazatlan with varying success. Mazatlan was invested, and on Sept. 12th Corona gained possession of the fort Palos Prietos; but the severity of the conflict and the loss incurred made hopeless the prospect of carrying a port so strongly held and supported by a fleet. After a sharp attack, on Nov. 12th, a suspension of hostilities was arranged, the French having announced their intention to embark. On the following day the liberals entered Mazatlan amid enthusiastic demonstrations. Sonora and Sinaloa were now forced from imperialist sway, and Corona, now a general of division, marched with a portion of his troops to aid in the overthrow of Maximilian.

CHAPTER XXVIII.

REVOLUTIONS AND COUNTER-REVOLUTIONS.

1867—1887

PARTY QUARRELS—UPRISING OF THE YAQUIS—VEGA'S PIRATICAL RAID ON GUAYMAS—LEYVA'S REVOLUTION AGAINST JUAREZ—ITS FAILURE—REVOLUTION IN SINALOA AND SEQUEL—CONTEST IN SONORA REGARDING THE CONSTITUTION—MARISCAL SENT TO RESTORE ORDER—THE LERDO ELECTION TROUBLES—SINALOA YIELDS TO THE PORFIRISTS—MARISCAL GOVERNOR OF SONORA—CHANGE OF GOVERNORS—APPEARANCE OF YELLOW FEVER—REVOLUTION IN SINALOA BY RAMIREZ—HIS DEFEAT AND DEATH—MARQUEZ DE LEON INVADES SONORA—IS COMPELLED TO RETIRE—WITHDRAWS TO CALIFORNIA—WARS WITH THE APACHES—THEIR FINAL SUBJUGATION.

No sooner had Corona departed than dissension arose among his lieutenants; and though Rubi was declared elected governor, General Martinez on January 29, 1868, denounced the election as fraudulent, and proclaimed himself provisional ruler. Rubi, sustained by the supreme government, resisted, and soon found himself at the head of 2,000 men, while his opponent could muster little more than half that number, and on April 8th was routed at Villa Union. The rebel general now disbanded the remnant of his force and departed, whereupon order was restored.

General Vega, who had returned from California in June 1866, was an accomplice in the above movement. His real scheme was to form a coalition which should install a new president, or, failing this, establish a new republic in the north-west. He assisted in the escape from prison of Palacio, one of the late rebel leaders, who, on March 13, 1869, pronounced at Culiacan in favor of Vega. Finding that town luke-

warm, he hastened to Fuerte, but a month later he was defeated by General Parra at Los Algodones, captured with most of his men, and shot. Vega had meanwhile been abroad to purchase arms, and now prepared, with the assistance of Lozada, to invade Sinaloa from the south. In February 1870 several pronunciamientos were effected, and a number of petty raids were made into the southern districts. Their insignificance discouraged Lozada from active participation, and Vega became so pressed for means that he descended to the piratical proceeding of sending a steamer to rob Guaymas, availing himself of the vagabond element left over from the war of invasion. With this he continned his inroads into the following year, after which he sank out of sight beneath the movements stirred by other leaders.

Pesqueira, who had ruled Sonora as governor almost without interruption, since the resignation of Aguilar in 1856, partly by popular vote in 1857 and 1861, partly by appointment under Juarez, was again in 1867 honored with reëlection as a reward for his brave and patriotic conduct during the invasion. There was need also for a man of his tried administrative ability to heal the ravages of war. Nearly all the revolts of the Yaquis and Mayos had arisen from encroachments on their land, and after every victory over them the infringement was affirmed. So it happened in 1867. They killed a too yielding chief in June, and prepared with force to assert their rights, committing, meanwhile, a number of outrages. By December about 1,500 troops were in the field against them; several bloody engagements took place, and it was not until Oct. 1868, that peace was restored.

The revolutionary plans of General Vega against Sinaloa found in 1870 an unpleasant outcropping in Sonora. The general had obtained possession of the steamer *Forward*, formerly an English gunboat, and sent her on a piratical expedition, under the command of F. Vizcaino. During the night of May 27th, 150 of her men landed near Guaymas and carried the town by surprise, without bloodshed. A levy was then made upon the custom-house and merchants, for funds, goods, coal, and arms, the latter embracing 4,000 muskets, and the former rising to the value of more than $150,000, with which two seized vessels were loaded. The *Forward* thereupon entered under a Salvadorean flag and towed them away. The treasury official Mejia, son of the minister of war, was carried away as hostage. Commander Low, of the U. S. war steamer *Mohican*, being at Mazatlan when the news came, decided, at the instance of the authorities and the suffering merchants, which included Americans, to check this piratical raider on Pacific coast trade. After a lengthly search he found the *Forward* at the mouth of Rio de las Coñas, under cover of a battery which opened fire on the cutting-out party. The steamer being aground, the only alternative was to fire her, whereupon the *Mohican* retired.

Guaymas was exposed to another infliction in Oct. 1871, in connection with the Porfirist revolution against Juarez. The garrison declared for it, under Leyva, and made themselves master of the port. They then exacted money from the wealthy citizens and sailed away to spread the movement in

the more promising districts to the south. Pesqueira was unprepared, however. He encountered them at Potrerito Seco and crushed their force and hopes at one blow, after which he passed on to aid the Juarist cause in Sinaloa. Here the revolution had been initiated by General Parra and F. Cañedo in Sept. 1871, and upon their failure it received fresh impetus two months later at Mazatlan, under Gen. Marquez de Leon, who had more than once been in charge of the civil and military government of the state. Gov. F. Buelna fled northward to seek the aid of Pesqueira, who after a temporary check took possession of Fuerte and Culiacan. Here he was besieged by Marquez, but a federal column under Rocha relieved the place in April 1872, driving back Marquez, and marching into Mazatlan. The followers of the latter began to desert the failing cause, and it was virtually abandoned in the following months, when Diaz submitted to the supreme government. An under-current remained, however, which was agitated by Lozada, who had chosen to favor the revolution. A crushing death at Rosario in Jan. 1873 was a relief to the state.

The reconstruction of the organic law of Sonora, in 1872, gave rise to hostility between the legislature and executive, which manifested itself in appeals to arms among the people. The governor carried his point, and introduced a constitution, in May 1873, which was sustained in face of several formidable pronunciamientos against it, as in the autumn of that year at Álamos, under the leadership of Comant, who, by means of the usual forced levies, swelled his command to 400 men, and kept that region in agitation for several months. Popular feeling became more excited against the authorities by the elections of 1875, wherein, with the aid of troops and connivance of the presidential party, they manipulated the polls for their own purposes, choosing as ruler José J. Pesqueira, with his predecessor for vice-governor. This induced a prominent citizen, F. Serna, to pronounce in August of that year at Altar. Although at first defeated, he recovered himself by several effective operations in Nov.–Dec., and gave such impetus to the movement, extending it into Álamos district, that the federal government, in March 1876, sent Mariscal to interfere. Seeing that Serna had justice on his side, with growing popularity, the general prudently favored him, and managed to restore order. Pesqueira departed, leaving Torres acting governor.

Mariscal followed up the advantage gained by the manœuvre by adverse election returns in favor of his patron, Lerdo. Finding, however, that the Porfirist revolution against the president was gaining ground, his foresight induced him to waste no further efforts upon a lost cause. Less clear-sighted the Pesquieras pronounced for Lerdo, only to discover their mistake at Matapé, where Mariscal dispersed their forces, and compelled the leaders to seek refuge in Arizona, whence they were soon permitted to return.

In Sinaloa the Porfirist revolution found its beginning in local outbreaks early in 1876, of which Donato Guerra soon appeared as the leader. In August he took possession of Culiacan, and imprisoned Governor J. M. Gaxiola, but troops from Mazatlan drove him out shortly after, and inflicted a severe defeat upon him at Tamazula. Once then in power the troops proclaimed adhesion to Iglesias, who was already in flight for the U. S. In the following month, Jan. 1877, the troops of Diaz marched into Mazatlan in the most peaceful manner, and after a few blows the remainder of the state yielded. Canedo being chosen governor. The election in Sonora turned in favor of Mariscal, who was thus rewarded for his foresight and efforts to preserve the peace. Serna became vice-governor, and was permitted to have under his own auspices the long suppressed constitution of 1872. Once in possession, Mariscal appears to have neglected the fact that had so far enabled him to court successfully the ruling majority. A quarrel soon arose with the legislature, which finally impeached him for removing local authorities, and other tyrannical acts, and declared him replaced by Serna, in Feb. 1879. The former was not the man to obey the dictates of a petty state assembly. He called upon his troops, and swelling their ranks with forced

recruits, prepared to march upon the gathering forces of Serna. A bloody war was in prospect, when the federal government interfered in favor of the latter, who had most politically appealed to it. The general thereupon found it prudent to resign into the hands of his rival, who soon surrendered the position to the elected Luis Torres.

Not unsimilar was the fate of the following governor, C. R. Ortiz, who, invested with extraordinary power for the suppression of the Yaqui revolt, presumed to assume a hostile attitude toward the federal commanders. Some of the militia pronounced against his impressments, and the people at Hermosillo, lately made the capital, lent approval by attacking his house in Oct. 1882, whereupon Ortiz thought it prudent to take flight, leaving the vice-governor, Escalante, as ruler. In the following year the progressive administration of Torres received a flattering approval in his reëlection. The successor of Cañedo, in Sinaloa, was M. Martinez de Castro, under whom the new liberal constitution of 1880 came in force, to assist during the ensuing peaceful era to unfold the vast mineral and agricultural resources so long neglected, to promote trade and intercourse, diffuse education, and elevate the people in culture and affluence, while mitigating the occasional evils inflicted by failure of crops and epidemics, such as the recently ruling yellow fever.

Among the active partisans of Porfirio Diaz in the north-west had been Marquez de Leon. The reward for his services failing to satisfy his ambition, he proposed, in 1879, to wrest it for himself by a revolution against the supreme as well as local governments. He had great influence in Sinaloa, where he figured during the early part of this year as gubernatorial candidate, owing to the suspension of the incumbent, Cañedo, under certain charges which had roused the people against him. Believing, nevertheless, that he could give great impulse to the movement by a simultaneous outbreak in his native Lower California, he took this task upon himself, leaving the popular Jesus Ramirez to direct the operations in Sinaloa. The latter made a not very successful attack on the garrison at Mazatlan Oct. 25, 1879, after which he took to the country, supported by several pronunciamientos, from Rosario to Cosata, and by opportune seizures of funds. Although his followers were defeated in several minor engagements, he sustained the cause, and in June and July 1880 managed, with the aid of a portion of the garrison, to obtain temporary possession of Mazatlan and of the capital; but in Sept. he was routed, overtaken, and killed. In Lower California the revolution had run a still briefer course. With the remnant of the forces there routed by federal troops, and driven northward, Marquez crossed to Sonora. He entered by way of Sonoita early in May 1880, gained possession of Magdalena on the 31st, and advanced to Ures. Unsuccessful in obtaining recruits, he had to retire before a superior column, whereupon he disbanded his men, departing for California to seek resources and form alliances for a more favorable opportunity. This, however, failed to present itself.

That standing scourge of Sonora, the Apaches, had all this while been swelling its long record of desolating raids, although in a gradually lessening degree, owing to the measures taken in Arizona to check the roaming of Indians and to coöperate with Mexico in punishing marauders. Before the influx of settlers into Arizona the Apaches had a free field. They attacked emigrant parties for Cal., and opened trade with the miners, who scrupled not, in exchange for stolen cattle and beasts of burden, to provide them with ammunition and armament of the latest pattern, thus giving them decided advantages over the inefficiently armed frontier troops. The year 1851 was fraught with particular disaster to this unfortunate state, which the Apaches grimly alluded to as their rancho and depot for supplies. In Feb. they destroyed Mazatlan, inflicting a loss of 40 lives; in Aug. they added 59 to the list of victims, bringing the total sacrifices of life for the year to 200, while carrying off nearly 2,000 head of stock, besides other booty. Pesqueira, then rising into prominence, was defeated with heavy loss, in pursuing them. Subsequent costlier expeditions managed to inflict only trifling retaliation

on the dispersing bands; nevertheless the movement served to lessen the irruptions for awhile. In 1853, however, they were resumed with intensified rigor, and in July alone they were marked by the blood of 170 victims. Again the authorities awoke to the necessity for armed demonstrations, which procured a momentary respite; then both troops and settlers again sunk into negligent indolence. Later the destruction of Chinapa and Santa Cruz, and by raids also in Arizona, caused United States troops to join the Mexicans in pursuit. Once more a quieter period was followed by a virulent inroad in 1860, when over 50 persons were reported killed in February alone. Pesqueira then revived Galvez' system of warfare, with only partial success, for the peace treaties made under pressure were broken at the first opportunity. Three years later the savages penetrated to the very suburbs of Ures and Álamos. A prize of $100 was now offered for each scalp, and with this inducement the expeditions of the ensuing spring reported the slaying and capture of 200 Apaches. These measures tended to restrain the bands for some years. In 1870, however, their audacity increased, and the exasperated authorities now raised the price upon scalps to $300. The Apaches became more wary, or the Mexicans indifferent, for the fund was exposed to no great drain, and during the years immediately following 1872 an average of two score murders was reported. The Mexican government not unjustly charged much of this evil to the defective Indian policy of the United States, with its loose reservation system and injudicious leniency, and asked for compensation to cover damages committed by these wild wards as well as by lawless American citizens. Of late years the danger has greatly abated, especially since the administrations of Diaz, which strengthened the military colonies of the frontier. The growth of population in Arizona, with the extension of railways and trade, added to the security, and although raids continued to some extent for several years, was only occasional. The once deserted border quickly filled with flourishing settlements and mining camps, among which the cruel Apache wars soon became a mere tradition.

During the second administration of Diaz the troublesome Yaquis, who had hitherto maintained their local independence, were finally subdued, after a war of several years. Their territory was invested on all sides, and their chief Cajenie, a leader of considerable political and military ability, was captured. In April, 1887, he was executed, without trial it is said, in the presence of his people.

CHAPTER XXIX.

LOWER CALIFORNIA.

1800–1848.

SEPARATION FROM ALTA CALIFORNIA DECREED—FOREIGN TRADE—VESSELS VISITING THE COAST—COCHRANE'S RAID ON LORETO—MORE LIBERTY GRANTED TO INDIANS—FEDERAL SYSTEM ESTABLISHED—POLITICAL DIVISIONS—MISSIONS SECULARIZED—PARTY FACTIONS—THE CALIFORNIAS REUNITED—FRONTIER QUARRELS—HARDY'S PEARL-FISHING SCHEME—UNITED STATES DESIGNS—AMERICANS OCCUPY LA PAZ—SELFRIDGE TAKES MULEGE—PATRIOTIC RISING AT SAN JOSÉ DEL CABO—CALIFORNIANS ATTACK LA PAZ—THE AMERICAN GARRISON RELIEVED—SAN JOSÉ BESIEGED—RETREAT OF THE CALIFORNIANS—BATTLE OF SAN VICENTE—BURTON'S OPERATIONS—EXPEDITION TO TODOS SANTOS—END OF THE WAR—LOWER CALIFORNIA RESTORED TO MEXICO.

IN 1804 the political separation of the peninsula from Alta California was decreed,[1] and Arillaga being promoted to the upper province, Captain Felipe de Goycoechea was appointed governor of Lower California.[2] The frontier district, which stretched from San Fernando to the northern border, was now more directly connected with the peninsula government, and promised at one time to grow in importance through the desire of the Dominicans to extend their missions eastward and northward. Their zeal soon slackened, however, before the intractable nature of the Indians and the soil, and the discouraging effect of

[1] By order of Mar. 26, 1804, the old boundary along Rio Rosario, or Barrabas, to remain. *Arch. Cal., Prov. Rec.*, ix. 95.

[2] This officer had served in both Californias and was at the time habilitado general at Mexico. He did not arrive till July 1806, and Arrillaga ruled ad interim. *Id., Prov. St. Pap.*, xviii. 175–7; xix. 60–76; *Id., Prov. Rec.*, vi. 21, ix. 56, 95.

poverty and discord in their immediate surroundings.[1] Indeed, several of them became in some instances so tyrannical as to rouse the Indians to desertion, insubordination, and, in the north, to open revolt directed often against well-meaning padres. Thus the two missionaries at Santo Tomás were slain in 1803.[2]

The separation from California resulted in an ever-growing neglect for the peninsula, and the upper sister province henceforth absorbed the greater proportion of the slight attention bestowed by the government. The idea of fostering development in the far-west never occurred, although the longing for territorial extension remained unabated. Isolation was deemed security enough, and when, with the opening of the century, English and American otter-hunting and trading vessels began to frequent the California coasts, the old dog-in-the-manger policy was more strictly extended also in this direction, for maintaining the isolation. The harshness of such orders becomes evident when it is considered that not only were the visits of supply vessels from the Mexican ports rare and irregular, but the effects brought were insufficient in quantity and variety, and little encouragement was given for enabling the inhabitants to exchange their

[1] The successor of P. Belda in 1802, as president of the missions, was P. Rafael Arvina, who so roused the friars by his scandalous conduct that he was removed by general request, P. Miguel Gallego succeeding in 1804. *Arch. Arzobisp.*, ii. 13–35. P. Gabriel of Loreto was some years later exiled for abducting Indian wives, and P. Caballero, still later, disgraced the robe in a similar manner. *Vallejo, Hist. Cal.*, ii. 255–8; *Alvarado*, ii. 172–4; *Vega, Vida Cal.*, 43. Several other friars revealed looseness of conduct, but were more prudent and escaped punishment. The poverty of the province did not tend to strengthen their zeal; as a rule they only longed to return to the more comfortable cloisters of the mainland, and obtained leave of absence so frequently that orders came to restrict this privilege. The result was an angry correspondence with the viceroy. *Arch. Cal., Prov. St. Pap.*, xviii. 120–4, 84; xxi. 54, 100–1, 286, 372; xxi. 43–5, etc.; *Id., Prov. Rec.*, vi. 9–13; viii. 63; ix. 24, 37, 60. Concerning existing friars till 1827, I refer to *San Buen. Arch.*, x. 279; xi. 160; xii. 168, 273, 359; *S. Diego Miss.*, 14, 91; *Guc. Mex.*, xx. 690; xxiv. 1042; *Arch. Arzobis.*, ii. 50, 80, 146; *St. Pap. Sec.*, ix. 15, 78; xv. 4; *Id., Miss.*, iii. 34; *Loreto, Miss. Rec.*, MS., 72 et seq.

[2] In May. They were Eduardo Serrano and Miguel Lopez: a woman confessed to the deed under torture, and was executed, together with two accomplices. *Arch. Cal., Prov. Rec.*, viii. 241; ix. 27–8, 33, 43; x. 1–2; *Id., St. Pap.*, xiv. 75–6. At San Borja there was trouble in 1806. *Arch. Arzobis.*, ii. 42.

beef, hides, grain, and fruit for commodities which the foreign vessels temptingly displayed. They were, in other words, bidden to sacrifice, to throw away, their surplus produce and be content with a few crude staple articles.[5]

Lower California escaped the horrors of civil war ravaging the mainland during the decade following 1810, yet it was not wholly exempt from hostile visitation. At the close of this revolutionary struggle the fleet of Admiral Cochrane entered the contest against Spain, and two of its vessels, the *Independencia* and *Araucano*, were despatched in the guise of whalers to make observations along the northern coast of Mexico, and sound the people while peaceably making purchases of provisions. The commanders of the cruisers disregarded these instructions under the incentive of spoils. On February 17, 1822, the *Independencia* entered the harbor of San José del Cabo, sacked the mission and church, and made a prize of

[5] At first the governor and his troops had not much difficulty in enforcing non-intercourse with hated and feared foreigners, but the latter, failing to barter, began to plunder their water of its riches by hunting for themselves the fur animals. To sacrifice their property was bad enough, but to behold it carried away by strangers was worse. Obedience ceased to be a virtue; illicit trade began, and expanded rapidly, until it affected even padres and soldiers. For a while a decent pretext of secrecy was maintained, but soon the governor himself, with pay as well as supplies long in arrears, gave open countenance to the traffic.

The result proved advantageous on all sides, for many wants were supplied, and a certain incentive was given to pursuits, in hunting otters and raising produce for barter. Among vessels which took advantage of this intercourse were, first the American brig *Betsey*, Captain J. Winship, late in 1800, followed by several others shortly after, notably the *O'Cain*, Captain O'Cain, the *Alexander*, Captain Brown, *Lelia Byrd*, Captain Shaler, and the *Catherine*, Captain Roberts. O'Cain is claimed to have discovered San Quentin bay. *Lelia Byrd* and *O'Cain* returned during the following years, the latter frequently, and in 1806 the *Peacock*, Captain Kimball, and the *Reizos* visited the coast. In 1808 and 1809 the *Mercury*, Captain Ayers, and the *Dromo* made their appearance, followed in 1810 by the *Albatross*, Captain N. Winship, Several other vessels touched without leaving a record. The *Traveller*, Captain Wilcox, in 1817, rendered great service to the peninsula by relieving the suffering people at Loreto, and in making a special trip to Alta California for further supplies. The chief resort of the vessels was San Quentin bay, within range of several missions, where otters were plentiful, and salt could be had in abundance. And many a fête champêtre was held upon this far-away beach, and the strange company that assembled made a striking picture, black-robed friars, sailors, and swarthy natives, with occasionally a sprinkling of Aleuts from Alaska, forming a heterogeneous crowd of festive traders.

the brig *Alcion*, laden with tallow, and en route from Alta California to the mainland southward.[6]

Long continued neglect naturally predisposed the inhabitants of the peninsula to favor the revolutionary cause; yet they were content to abide the decision of events. In the early part of 1822 their suspense was terminated by the arrival of the canonigo, Agustin Fernandez de San Vincente, imperial commissioner, to proclaim the elevation of Iturbide to the throne of Mexico and inaugurate reform. The people yielded to every disposition made by him, and his steps were facilitated by the resignation of the governor, José Argüello, who had succeeded Goycoechea in 1814, and was replaced in October 1822 by José Manuel Ruiz, commandant at the frontier, under the title of jefe político.[7]

[6] A lieutenant and eight men were next sent to the mission of Todos Santos, with orders to plunder the church, take the padre prisoner, and burn or sink a schooner which had lately been built there. These orders were carried out on the 19th, but the lieutenant and two of his men attempted to lay hands on the women. The people had been unresisting spectators while their vessel was destroyed and their church desecrated, but their pent-up feelings now burst forth. Moved by a single impulse, they attacked the party—which was on the beach—with stones and other ready means, and killed the trio. Made fearless by this achievement, the assailants hurried off to the mission and fell suddenly upon the remaining six men of the party, two of whom were quickly despatched and three grievously wounded, while the sixth surrendered at discretion. The captives, swelled by three messengers from the hostile ship, were carried northward to San Antonio, but were surrendered on the captain of the *Independencia* threatening to destroy both Todos Santos and San Antonio. Meanwhile the *Argüello* had gone up the gulf to Guaymas, and then to Loreto, whence the people, warned by the occurrence further south, had fled, leaving the enemy to plunder the town and church, Governor Argüello losing his silver plate and other property.

[7] The most important change by the canon appeared in a provisional reglamento for administration of missions, whereby the Indians, though still left under supervision of the padres, were given greater freedom, with the right to demand rations and pay for their labor, and to elect the hitherto autocratic priest instrument, the mayordomo, from among themselves. The fathers were, moreover, required to furnish inventories, as a check upon their management of mission property. Great was their indignation at this encroachment upon their time-honored paternal rights—that is, to compel the Indians to work for a scanty allowance of poor food and poorer clothing; to submit to any chastisement the padres saw fit to inflict, and to have no thought for anything in life except the repetition of a few prayers parrot-wise, and the enrichment of the mission. They predicted disaster both to the mission establishments and to the Indians from such extension of liberty to being unfit for its enjoyment, and events justified the assertion, moderate and just as were the privileges granted. The neophytes surrendered themselves to dissipation and idleness allowed themselves to be guided by inter-

The change from colonial régime had been grasped at mainly in the vain hope of some relief from long neglect and distress, and the establishment of a republic was additionally welcome from its conferment of local self-rule. The new era was inaugurated by Lieutenant-colonel José María de Echeandía, appointed to the civil and military command of the two Californias, who presented himself at Loreto in June 1825, accompanied by several officers and nine Dominican friars. On July 10th he installed the territorial deputation, with the aid of which several progressive measures were taken, notably to raise funds for opening primary schools at Loreto and San Antonio. The peninsula was divided into four districts, Cabo de San Lucas, Loreto, Santa Gertrudis, and San Pedro Martir, each with an ayuntamiento, or municipal council, at its head town, composed of an alcalde, two regidores, a sindico, and a secretary, and with auxiliary alcaldes at the missions, appointed by the jefe político.[8]

ested schemers, and declined rapidly in condition and number. Their decadence would probably have been more rapid but for the united efforts of padres and settlers, for their own advantage, to maintain the former domination, and to ignore the reglamento.

[8] The condition of the aborigines commanded his special attention, and he issued, August 19, 1825, a reglamento aiming to practically secularize most of the missions. A sufficient proportion of mission land was to be distributed among the Indians as community property, under the direction of mayordomos elected from among themselves for a period of years. They were also to receive the necessary grain and implements for establishing farms, and half of the live stock, the other half remaining for support of churches and padres. The latter were reduced to the condition of parish priests, under the surveillance of alcaldes and mayordomos. By decrees of 1830, all but three of the missions were added to the secularization list. This system aimed to elevate the Indians almost to the dignity of independent citizenship, but unfortunately the reglamento was disregarded like the others by negligent officials, influenced also by interested parties. The unhappy natives gradually deserted the now inhospitable missions, wandering about the hills and beaches looking for food. Occasionally they would work for the recompense of a little watered atole twice a day, and a breech-clout and blanket every two years, being withal badly treated everywhere. Epidemics and local diseases, moreover, combined to ravage their enfeebled ranks. The govt recognized 17 missions in 1826. As for their property, it was to be absorbed partly by the settlers, partly by favored individuals, who obtained it as grants, or against nominal purchase money. The secularization decree had already declared such unoccupied lands national, and open to rental. The padres vigorously opposed this attempt at final spoliation, assisted by neophytes, and took to arms at Todos Santos. The result was an order by

The change of political system did not bring the expected amelioration to the settlers. They remained neglected as ever, and so stricken became their condition that petitions were presented in 1827 for the remission of tithes and other imposts, except municipal taxes, for fifteen years. Misgovernment at home assisted to retard improvement. Echeandia was supposed to rule the peninsula from his seat in Alta California, but he did not trouble himself, and his functions were performed by a deputy, who was sometimes appointed by the governor and sometimes by the territorial deputation. The ayuntamientos of the districts sought, moreover, to assert themselves as much as possible, and so matters drifted into a number of irregular channels, with arbitrary action in each.

On leaving for the north in October 1825, Echeandía installed as his deputy at Loreto Lieutenant J. M. Padrés, a member of the territorial deputation, whose liberal ideas brought the Dominicans into opposition with him. Elected deputy to the congress in the following year, he departed for Mexico, leaving the gubernatorial office to the alcade of Loreto, Miguel Mesa.[2]

Micheltorena, in 1843, to restore all property taken, except lands already occupied, for which titles must be obtained from the government. This did not interfere, however, with the progress of spoliation, and the frontier missions were nearly all disposed of in 1846 by the unscrupulous Governor Pico.

[2] In 1829, however, the territorial deputation took upon itself to reverse this order by selecting its first member, Álferez Mata, of the garrison, as sub-gefe político. This independent action roused Echeandía, who hitherto had allowed the people to manage their own affairs. His representations led the supreme government to appoint Lieutenant-colonel M. Victoria, and to separate the peninsula from Alta California, while subordinating it in military and judicial matters to the comandante general of Sonora. Victoria being transferred to the northern province in 1830, he was succeeded by M. Monterde, who, upon his election to congress in 1831, surrendered the office to the deputation, and its members now rotated monthly as jefe político. The consequent confusion caused Monterde to be sent back as ruler two years later, but he being again elected deputy, a Peruvian member of the deputation took charge until the arrival, in April 1833, of the government appointee, Colonel M. Martinez; but so intense was the opposition of the legislative body to this mainland intruder that he resigned. Then came a contest between the deputation members for control, leading to virulent party spirit and bloodshed. The government thereupon ordered the administration to rest with the alcalde of La Paz, to which place the capital had been transferred in 1830, owing to the destitution of Loreto in natural resources, aggravated by an inundation, which in the preceding year had swept

At the fall of the federal system in Mexico the Californians were united into a single department under this name, and Luis del Castillo Negrete, an ex-judge from the northern province, was appointed sub-jefe under the governor residing in Alta California, yet really with greater power than his predecessors, owing to the abolition of the deputation, and the distance from his superiors. He ruled with great energy and prudence till 1842, and introduced most commendable land reforms and colonization measures. After this came a rapid succession of military appointees, with symptoms of former disquietude. The two districts of the Californias quarrelled also concerning the frontier jurisdiction, and the disorder was aggravated by the government's neglect to properly sustain the garrison, which thus became a party to strife. Indians took advantage of the discord to carry matters with a high hand.[10]

Troubles also threatened to arise from the decree in 1828 and following years, for the expulsion of Spaniards, to which nationality the friars belonged, besides a few of the settlers; but as no serious attempt was made to enforce the law here the affair subsided.[11]

Now comes a more stirring period, the war with

away a large portion of the town. This action served only to unite the factions against the common enemy. The alcalde, M. Canseco, was cast into prison, and the deputation renewed the rotation in office. The government imperatively repeated its former order, and Conseco declining, the second alcalde, Captain F. de la Toba was installed as jefe in January 1837.

[10] Constant raids occurred; in October 1839, the mission of Guadalupe was sacked, three of the defenders being killed; and in 1840 Santa Catalina mission was burned, and 16 of its neophytes were slain.

[11] After the independence, intercourse with foreigners was no longer prohibited, and both La Paz and Loreto were for a time opened to trade. The permission availed little, owing to the lack of resources to attract vessels. Among visitors were Lieut Hardy of the British navy, commissioner for a pearl fishery association of London, who spent much time and money in 1826 in a visionary scheme to obtain pearls by means of diving-bells; in the same year Duhaut-Cilly, in the French trading ship *Héros*, and four years later came Combier in *La Félicie*. In the same year, 1830, James O. Pattie strayed with a party of starving trappers to the frontier missions. An involuntary stay was also made in 1832 by Governor Figueroa, on the way from Acapulco to Alta California. While halting at Cape San Lucas part of his troops mutinied, and sailed away to San Blas with the transport vessel, and he had to take refuge at La Paz until the vessel was restored by the authorities of Jalisco.

the United States, the general aspect of which I have considered elsewhere. It has been shown that California, in its wide extent, was the chief aim of the invaders, who were stimulated by the belief that England had designs upon the coast. Geographically by name, and for the time politically, the peninsula seemed to be part of Alta California. It was, moreover, regarded as a desirable acquisition, partly from a strategic point of view, and from the first the impression came from official sources that Lower California would be retained by the United States. This was communicated to its inhabitants, with the assurance of protection to all who should espouse the American cause. Yet it was not until the conquest of the upper coast had been achieved that the invaders turned against its southern extension.[1]

[1] Their war vessels had appeared in these waters in the autumn of 1846, to give notice of a blockade which could not then be enforced, and at the first intimation Colonel Miranda, jefe político, offered neutrality if the persons and property of the people were respected, for they were defenceless. This step, although widely commanded or tacitly approved, sufficed to raise an outcry among a set of true patriots as well as among purely political opponents, who, profiting by Miranda's lack of means, in Feb. 1847, set up as jefe político Mauricio Castro, a prominent and energetic man. He lost no time in summoning the members of the council to meet at Santa Anita to devise measures for defence. Orders had been issued early in 1846 for raising a company of defensores under the command of J. M. Moreno, styled jefe de Guerilla de Defensores, and Castro sought to organize a body of volunteers; but it was impossible at the time for him to collect sufficient means or men. The invaders found no obstacle therefore to taking formal possession. They began by entering the ports, capturing a few small vessels, and sounding the disposition of the people. On March 29, 1847, Commander Montgomery, of the *Portsmouth*, having summoned the authorities of San José del Cabo to surrender the town and all public property to the United States, was promised strict neutrality. He hoisted his flag, and in a proclamation admonished the inhabitants to pursue peaceably their occupations, inviting all who should submit to participate in the privileges of American citizens.

On April 13th the *Portsmouth* appeared at La Paz, which surrendered with rather more elaborate formalities. Colonel Miranda, who still held sway here, made no opposition, but he requested that commissioners from both sides might meet to arrange the terms after possession had been taken. This was granted, and fifteen articles were arranged, by which all public property should be given up. The municipal officers were to continue their functions under promise of neutrality, and military officers, if they remained in the country, were to be paroled. The authorities of Loreto, were to be notified that they were under the same obligations of neutrality as those of La Paz. Citizens of the Peninsula were to enjoy the same rights and privileges as citizens of the United States. Vessels belonging to inhabitants of the country would be returned to their owners, for the present, and allowed to trade legally in all directions except on the coast of Mexico.

After the surrender of La Paz the country was for some time as undisturbed as in time of peace, although the people of the interior were known to be in anything but a submissive mood. Trusting to this quiet surrender, and to the weakness of the province, the American commanders neglected to leave an adequate force to complete the conquest,[14] and secure permanent tranquility. This error subsequently nearly brought disgrace upon the flag which they had hoisted.

[14] The authorities in Alta California were more observant, and resolved to remedy the neglect. The N. Y. volunteers had reached that coast after its subjugation and two of its companies, A and B, numbering 115 men, under Col. Burton, were embarked for Lower California, at Santa Bárbara, on July 3, 1847, with provisions for six months, on board the store-ship *Lexington*, which had to remain with them. On the 20th they were welcomed at La Paz, and fitted up barracks on an elevated plateau overlooking the town. On July 29th Burton issued a proclamation of the same tenor as that already promulgated by Commander Montgomery, and sent copies of it to all the principal towns. No opposition was raised to this except at San Antonio, where two citizens, Hidalgo by name, had sought to rouse the inhabitants, but were promptly made prisoners by Burton. Meanwhile news came that a Mexican force had landed at Mulege, and the U. S. sloop of war *Dale*, Commander T. O. Selfridge, happening to arrive just then at La Paz, she set out in company of the schooner *Libertad* to investigate. Selfridge reached the port on Sept. 30th, and promptly cut out a small schooner, the *Magdalena*, which had brought the Mexican soldiers, without meeting opposition. The following morning he sent a proposal to the authorities to preserve neutrality, to surrender the arms brought from Guaymas, and to abstain from all intercourse with Mexico. Captain Manuel Pineda, chief of the Mexican troops, and newly appointed comandante principal of the peninsula, in reply, indignantly protested against the injustice of the American cause and the treachery of Miranda. La Paz, he declared, would soon be retaken. As for Mulege, he would defend it to the last. Selfridge promptly landed a force under cover of his guns, and after a brief skirmish, involving some well-directed broadsides from the vessel, and firing from the boats, the town, already evacuated by the inhabitants, was cleared of soldiers. The *Dale*, having nothing more to do, stood out to sea on the 2d of October, leaving the *Libertad* to cruise off the harbor to prevent communication with Sonora. The force under Pineda had been placed by rumor at 200 men, but it soon transpired that little more than some arms and a few officers had been brought from Guaymas. These officers, however, had authority to obtain, and even press into service, such men, arms, and supplies as might be needed for the defense of the country. This they did, and on the strength of their claimed victory over the *Dale* expedition, they now succeeded very well, first round Mulege and Loreto, and then south and westward. The effects of Miranda and other wealthy supporters of the hostile cause were ruthlessly confiscated, and with lukewarm contributors coercion was employed; but this gave rise to so many abuses that the political chief, Mauricio Castro, at length ordered Pineda to restrain his soldiers from seizing private property.

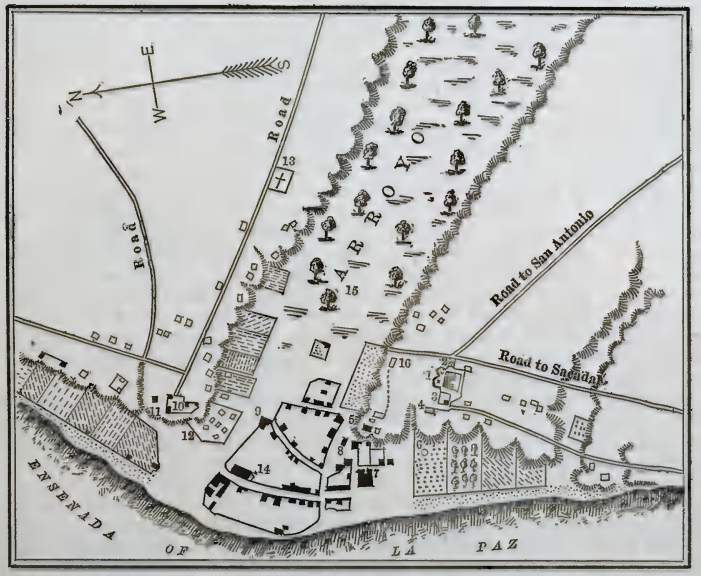
The growing enthusiasm was greatly due to the exhortations of the padres, notably P. Soto-Mayor, of San Ignacio, who is said to have been the first to excite the people against the Americans, and who accompanied the patriots. It was further stimulated by the occasional receipt of arms

and supplies from the Mexican coast in spite of Stockton's precautions, so that speedily a respectable guerilla force stood equipped. La Paz was the main objective point, but it was decided to delay attack until the formidable war vessels had left the coast. Nevertheless as the strength of the liberating army increased, the courage of the patriots rose, until in October 23, 1847, the people of San José del Cabo, where no American force existed, could restrain their impatience no longer. They took arms, drove out the few foreign settlers there, and proclaimed the rule of the United States at an end. They had been too hasty, however, for the Pacific squadron, under Commodore Shubrick, happened to touch at this point shortly after, en route to blockade the mainland ports. The people at San José at once changed tone, but those further removed from the scene still maintained a pronounced attitude, especially at Todos Santos, till the appearance there of a small force of marines produced a similar change. The commodore now issued a proclamation, wherein he declared that the United States had no intention to ever surrender the Californias, and invited those who were well disposed toward that government to stand fast in their fidelity, at the same time threatening the disaffected with severe punishment. As a further assurance he left, on Nov. 8th, a party of 24 men under Lieutenant Heywood, with provisions for thirty days, a nine-pounder carronade, and seventy-five carbines for distribution in case of need among loyal and trustworthy natives.

The news of approaching guerillas, and the occurrence at San José, placed the American garrison at La Paz upon its guard; and as the people seemed friendly a municipal guard of natives was appointed to protect the town, though the Americans took care to patrol the environs and keep strict control in the immediate vicinity of their quarters. Martial law was proclaimed, and all persons known to be disaffected were ordered to leave. The camp was moreover fortified on the north side with a semi circular breast-work of palo logs, enclosing the two field-pieces which constituted the artillery. The position was well chosen and dominated the town. The adobe barracks occupied by the men fronted toward the south, a row of three buildings, about 75 yards distant, church, officers' quarters, and store-house, which together formed the main position. The last two edifices possessed court-yards with adobe walls; on the east, open toward the distant hills, was added a trench and a chain cable supported by posts for resisting cavalry, and ditches were cut at different points. These preparations were accelerated by the approach of the Californians, with a fighting force of about 600 or 700 men, swelled by an additional number of irregular followers of less value. Captain Manuel Pineda, as comandante principal of the peninsula, was commander-in-chief, and under him ranked as the principal leaders Antonio Mijares, a brave officer of the Mexican army, José Matias Moreno, and Vicente Mejia, captains of militia, and P. Gabriel Gonzalez, who never flagged in his efforts to stir up the people against the gringos. See particularly *Arch. Cal. Mex. Arch. L. Cal.*, tom. i. passim; and *Morena in Hayes' Doc. Hist. L. Cal.*, passim.

The war vessels having all left, these forces hastened to carry out their plan, with this difference, that a portion was detached, under Mijares, Moreno, and Mejia, to harass the small garrison at San José while Pineda led the main body against La Paz. He made his first attack at two o'clock in the morning of Nov. 16th, by opening a heavy musketry fire upon the American quarters from the northern side of the arroyo. His cavalry was stationed on the east and south, with orders to charge if the Americans attempted to cross. As a reconnoitring party had failed to see anything of the opponents the evening before, Burton's men were somewhat surprised, and had the Californians taken advantage of the confusion caused by their first volley to advance with the bayonet, they might have won the position. As it was they continued to blaze away in the dark for an hour or more, the Americans, on account of scarcity of ammunition, only throwing a shell or two in the direction of the enemy. When morning broke, the Californian force had disappeared, and the few inhabitants remaining in the town were

seen to be leaving it with all possible dispatch. About 9 A. M. Pineda's cavalry suddenly came pouring over the opposite side of the arroyo, but after receiving a few well-directed shots from the field-pieces, retired. Three hours later the Californians renewed the attack on foot, extending their front so that the field-pieces could not be used against them. Concentrating their fire upon the comparatively contracted space occupied by the Americans, they gradually advanced their wings, until they had penetrated into the town on one side, and into the thick cactus to the east of the American position on the other. Burton's men were then exposed to a dangerous cross-fire, which they could only return by an occasional shot. At length the Americans ran out the field-pieces to the brow of the hill, and directed a heavy fire of grape and canister upon the town and cuartel, which soon drove the Californians from both positions with loss. Firing being resumed



PLAN OF THE POSITIONS OCCUPIED BY TROOPS AT LA PAS DURING THE ATTACKS IN NOVEMBER AND DECEMBER, 1847.

1—Main position of Americans. 2—Church. 3—Storehouse. 4—Miranda's house. 5—Fortification on the hill. 6—Mill. 7—Corner of Belloc's house. 8—Nearest point of Mexican advance. 9—Portugese house. 10—Old cuartel. 11-12—Capt. Steele's party taking the old cuartel. 13—Graveyard. 14—Miranda's town house, destroyed by Mexicans. 15—Arroyo, from 4 to 6 feet deep. 16—American Barracks. Property destroyed by Americans.

early on the 17th, the Americans sallied and destroyed all buildings which could afford shelter to asssilants, so that they soon had a fairly clear view within musket range. They moreover hastened to throw up additional intrenchments, with breastwork and ditches; and to fortify the roofs of their buildings with cotton bales and other suitable materials.

On the 27th the Californians were unexpectedly reënforced by the division from San José, which had been repulsed there, and encouraged moreover by the possession of a four-pounder which the new-comers brought with them, they began a desperate attack about 3 o'clock P. M., advancing to within 100 feet of the entrenchments, and continuing the fight until after dark. On

the following day the Americans retaliated by storming the old quarel which formed the opposite centre. They also strengthened their position by demolishing their own northern barrack and concentrating behind the barricades. Pinola remained inactive for some days, and then fell back to San Antonio. Meanwhile the Lancey having sent a launch to Mazatlan for aid, the *Cyane* entered the harbor Dec. 8th, followed on the 11th by the *Southampton* with orders for the relief of San José.

While these operations took place at La Paz a similar siege was laid to San José, held by Lieut Heywood with 24 men and a nine-pounder. He had taken possession of the barrack or cuartel, a dilapidated, square adobe building. This was repaired and fortified as far as possible, by walling up all unnecessary windows and doors and leaving only loopholes. The roof, also, with its low parapet was arranged for sharpshooters. Some twenty friendly Californians with their families were received, and a portion placed with three Americans in an adjoining building known as Mott's. On Nov. 19th, the force under Mijares and companions, estimated at about 200 mounted men, summoned the invaders to surrender, which demand having been rejected, a desultory fire was opened toward sunset, ammunition being scarce on both sides, and when darkness set in the Californians crept up, pushing themselves behind corners and walls and at the windows of the buildings adjacent to the barracks. By ten o'clock they resumed the firing, this time with murderous intensity, so much so that many of their balls passed through the loopholes in the cuartel. Meanwhile a party, led by the brave Mijares, made an attack upon the rear of Mott's house, but were repulsed by the volunteer Californians, who under the able leadership of Midshipman McLanahan and Gillespie defended the building with great determination. Before daybreak the Californians retired, carrying with them two killed and several wounded. The Americans had three wounded in this night's encounter. The next day passed in mere investing operations until night, when a forlorn hope, led by Mijares, made a fierce charge upon the cuartel to capture the nine-pounder. It had been intended that the whole force should storm the cuartel on all sides during the confusion which this charge would create, but at the first fire, Mijares and several other fell and the rest abandoned the movement. On the 21st the Californians, alarmed by the appearance of two vessels, retired. The arrivals proved to be New Bedford whalers, the *Magnolia* and *Edward*, whose commanders, Simmons and Barker, had learned of the siege and hastened to succor the garrison. They offered supplies and ammunition, and landed about 60 men, armed with harpoons, lances, and other implements of their calling, with here and there a venerable musket. They were soon followed by the arrival of the *Southampton*, followed by the *Portsmouth*, and during the presence of these warships everything remained quiet. After a few weeks stay they set sail, leaving with Heywood a force increased to 30 marines and 16 seamen, with abundant ammunition and two additional carronades. The departure of these vessels was a signal for the Californians to renew operations, and about the middle of Jan., 1848, reinforced by Pineda, they encamped within a league of the village to the number of 300 mounted men, driving off the cattle and horses, destroying the crops, and cutting off all communication with the interior. They moreover captured a party of five men under the midshipmen Duncan and Warley, who sought to reach a schooner which had arrived on the 21st with supplies. Emboldened by this success, they contracted their lines and drew daily nearer the town. As Heywood had to support some fifty women and children who had sought his protection, provisions soon ran short. At great risk foraging parties were sent out, but only three cows could be obtained. These consumed, everybody was put on half allowance of salt provisions without bread. The Californians drew closer, and strengthened by a body of Yaquis from Sonora they maintained an harassing fire, yielding only momentarily before occasional sallies. They also frustrated an attempt to communicate with a schooner bringing supplies from La Paz. By the 10th of Feb. they

had gained entire possession of the town, and had approached close to the barrack, their flag flying within 90 yards of it, from a strong building in a commanding position. Henceforth the Americans were subjected to an almost incessant fire from all quarters. One of these stray missiles carried off the brave and competent midshipman McLeanahan, Heywood's right-hand man; and by the 12th the Californians had cut off access to the watering place by breastworks. The situation of the besieged was now very critical, and the suffering of the women and children made it seem almost inhuman to hold out; yet so far the Americans were as determined as ever. In the afternoon of the 14th a large sail was reported, which greatly cheered the Americans, while the Californians redoubled their efforts and revealed such spirit that Heywood, aware of their increased number, feared succor might not reach him. The vessel proved to be the *Cyane*, commander Dupont, who had received orders while at La Paz to proceed to San José, news of the situation of the garrison having reached Commodore Shubrick at Mazatlan. Deeming it imprudent to land during the night, Dupont waited until daylight, when he landed with a force of seven officers, five marines, and eighty-nine seamen. He had also a 3-pounder field-piece, dragged by hand. The Californians in the meantime had concentrated along his path, leaving only a small party in the town to hold Heywood in check. As soon as Dupont's men began to advance, an annoying fire was opened upon them from the different covers all along the road, nearly two miles long, and notably from the hamlet of San Vicente, situated upon a knoll where the Californians were gathered in force. The steady fire and advance of the Americans, however, compelled them to give way, though they continued to harass the invaders on flank and rear. Meanwhile those in the cuartel had anxiously followed the movements of both sides, till finally Heywood, no longer able to bear the suspense and inaction, at the head of thirty picked men sallied forth, drove back the band in observation, and joined Dupont just outside the town. The united parties then dispersed the Californians, and marched triumphantly to the cuartel, communication between the beach and cuartel being reëstablished. Thus ended the battle of San Vicente, a celebrated encounter for Lower California. The siege of San José reflects credit on both sides, on the one for staunch endurance and considerate regard for fugitive families; on the other for considerable skill in siege operations, and a dash, illustrated by leaders like Mijares and Navarrete. If the Californians failed in their aim, it must be attributed greatly to the superior discipline and military resources of their opponents. The reënforcements sent them from the mainland proved not only of little value, but positively pernicious to the cause of defence, from the lack of sympathy and principle among these hirelings. Moreover, the treatment to which the Californians were submitted aroused disgust. Loyal citizens were ground down by forced contributions, and those who were regarded as traitors were robbed of their property, and subjected to outrages of every description. Pineda might have checked these abuses, but paid no heed either to remonstrances, or even the commands of his superior in Sonora. Thus the unfortunate Californians were placed between two fires, and it is no wonder that many of them openly went over to the side of the Americans for self-protection. This was done by considerable numbers of inhabitants who had otherwise been true patriots. Nearly every place of importance was in constant ferment and intrigue; conflicting pronunciamentos followed each other in quick succession; juntas were peremptorily summoned to meet in this town, and that by rival chiefs; no party could distinguish its friends from its foes; distrust, jealousy, and treachery pervaded every council and frustrated every plan. And all this naturally assisted the invaders to hold their own and push the conquest.

La Paz having been unmolested since November, Burton was encouraged to organize several small expeditions, which during February succeeded in capturing a few prisoners, but more extensive operations were deferred till the arrival of reënforcements expected from Alta California. Urged, however, by a spirit of friendly rivalry which existed between Burton's volun-

teers and the naval forces, the former determined to attempt the rescue of the prisoners that had been captured from Heywood's command. Accordingly, on March 15th, 34 mounted men and officers, under Captain Steele, Burton's second in command, proceeded to San Antonio, where the captives were lodged, arriving close to the town at daylight on the following morning. Having captured a picket, they charged at full speed into the place, and dispersed the Californians after a brief skirmish, killing three, and capturing Captain Calderon, Lieutenant Arce, and a soldier. The American prisoners were found and rescued, and after destroying some arms and ammunition, the expedition returned to La Paz, which was reached on the 17th. The arrival, on March 22d, of the store-ship *Isabella*, with over 150 additional volunteers, under Captain H. M. Naglee, enabled Colonel Burton to give wider scope to his operations. Four days later he set out from La Paz with 217 men, and on the next day a detachment of 15 surprised and captured at San Antonio the comandante principal, Pineda. Learning that the Californians were concentrating at Todos Santos for retreating toward Magdalena bay, Burton hastened in pursuit with the main body, while Naglee sought to gain their rear with 45 mounted men. Timely warned that the Californians were lying in ambush in some dense chaparral through which the road ran, Burton directed his course along a ridge of high table-land, from which a full view of the enemy was obtained, whereupon the latter fell back to a hill commanding his advanced and received him with great spirit; the engagement was cut short, however, by the appearance of Naglee in the rear, and the Californians dispersed in all directions. Naglee continued the pursuit, and captured several Mexican soldiers; he also surprised a camp of sleeping Yaquis, two of whom were secured, and by Naglee's order brutally butchered. He then issued a proclamation to the authorities and rancheros, directing them to arrest all Yaquis wherever found, intimating very plainly that the lives of the outlaws were of no value. Such acts and words could not fail to give strength to the rumors industriously spread of American outrages.

Meanwhile other officers from naval and volunteer corps had brought in a number of prisoners, among them Mauricio Castro, who since Pineda's capture had combined the military and political commands, and the shrewd and energetic P. Gonzalez, as well as his two sons, who were serving as officers in the army, from whose influence the Americans had more to fear than from all the military leaders. The principal prisoners were sent to Mazatlan and released on parole, several returning afterwards. The volunteers continued to garrison the peninsula unmolested till the treaty of Guadalupe Hidalgo restored it to Mexico, after which they went back to Alta California to be disbanded. As the American commanders had repeatedly declared that Lower California would be permanently annexed to the United States, and had thus induced many of the inhabitants to compromise themselves with their countrymen, by espousing the invader's cause, the course of the United States government in surrendering the peninsula was subjected to severe criticism in many quarters. The reasons were its poverty and awkward position for communication and defence. True, certain amends were made by offering those afraid of remaining the opportunity to leave the country and settle in Alta California, together with a certain indemnity for losses; but this breaking up of homes and families was not possible to all. Those who had suffered from the invasion as loyal adherents to Mexico, were accorded grants of land.

CHAPTER XXX.

LOWER CALIFORNIA.

1848–1888.

NEW POLITICAL DIVISION—A MILITARY COLONY ESTABLISHED—FILIBUSTERING DESIGNS—WALKER—HIS PLANS AGAINST SONORA THWARTED—ENROLMENT OF MEN IN CALIFORNIA—DESCENT ON LOWER CALIFORNIA—PROCLIAMS A REPUBLIC AT LA PAZ—WALKER RETIRES TO TODOS SANTOS BAY—ARRIVAL OF RE-ENFORCEMENTS—CAPTURE OF SANTO TOMÁS—THE REPUBLIC OF SONORA PROCLAIMED—DISSENSION AMONG THE FILIBUSTERS—THE MARCH INTO SONORA—COLLAPSE OF THE EXPEDITION—POLITICAL MATTERS—CONVICT UPRISING—STRIFE FOR POWER—FRONTIER TROUBLES—ARRIVAL OF FRENCH VESSELS—COLONIZATION PLANS—ORCHILLA GATHERING—REVOLT AGAINST GOVERNOR DÁVILOS—CHANGE OF GOVERNORS—MARQUEZ' REVOLT—PROSPECTS OF PROGRESS.

MEXICO seemed somewhat indifferent about receiving back the peninsula, although its possession by an opponent must have proved a decided menace to her north-west territory. A portion of the ephemeral reform measures which sprung up after every political convulsion was accorded to it, but with even more than the usual lack of enforcement. The province was divided into two partidos,[1] each with its court of justice,[2] and a diputacion or legislature of seven members was confirmed to it, with instructions to prepare the draft of a constitution for internal adminis-

[1] The northern partido composed Santo Tomás, San Ignacio, Mulegé, Comondu, Loreto, La Junta, San Luís, Los Dolores, and their dependencies. The southern included La Paz, Los Reyes, San Antonio, la Frinchera, Todos, Santos, San Bartolo, Santiago, Miraflores, Santa Anita, San José del Cabo, and San Lúcas. Decree of April 12, 1849. *Arrillaga, Recop.*, 1849, 118.

[2] Subject to Sonora and composed of juez de letras, pay $2,400, with notary, clerk, and sheriff, at from $1,200 to $200 per annum. *Mex. Mem. Just.*, 1850, *Doc.* 20, 1851; *Doc.* 20; *Id. Hac.*, 1850 4. In small places lacking alcaldes jucus auxiliaries take cognizance in cases involving amounts not over $15. There were eight constitutional alcaldes, two in the capital and one in each municipality, with 33 alcaldes de cuartel, 21 being in the south. An Indian ruled at S. Borja.

tration.[3] The jefe político should be appointed by the supreme government, after consulting the legislature.[4]

[3] Decree of April 25, 1850. The members were to be elected by the college choosing the congressional deputy, for four years, renewable by halves. *Navarro, Leyes*, 1850, 104-7; *Mex. Col. Leyes*, 1850-1, 71-3. For deputy election see *Universal* 21, Nov. 1849.

[4] With $3,000 pay; the eldest legislative member succeeded temporarily. *Pinart, Doc. Son.*, iv. 33. A most important measure was to assign to the peninsula one of the several military colonies decreed for the protection of the northern frontier against Americans as well as Indians. The manner of carrying out the scheme made it useless as regards the former, for it was easier to enter by sea than across the northern wastes, and it brought no improvement on previous methods of dealing with the aborigines, while the district itself lost rather than gained by this accession of colonists. The order to establish the colony with 100 men was issued in July 20, 1848, and preparations to that end were begun in the following year by Col Espinosa, who, as jefe político and comandante militar of the peninsula, was also appointed inspector of the projected settlement. According to his regulations recruits were to be attracted by bounties, advance of pay, land grants, and aid to found homes and farms, and ordinary settlers were to be invited on condition of lending armed assistance in case of need: but the pay of $18 per month was subject to many deductions; the frontier lay remote and isolated, and the illusiveness of government promises was too well known to attract many volunteers, in the southern district at least: and Captain Manuel Castro, who had been appointed to the command had to start August 1849 with only 15 men and scanty means, leaving his second, Lieut Chaves, to follow with more supplies. During the march through the poorer north, people showed less hesitation, and when the party in March 1850 reached Rosario, the designated site, it had trebled in strength. Toward the end of the year, however, the settlement was removed to the mission Santo Tomas, in a fertile and well-watered valley, 35 leagues from the border and 9 from Todos Santos harbor. Here the beginning was made yet under such difficulties, chiefly from lack of proper and sufficient means, that Castro had recourse to frequent and protracted sojournings in Alta California, leaving to Chaves the task of appeasing the suffering and discontented soldiers, who wandered about in quest of sustenance or deserted to the glittering placers of the gold region. Nevertheless, the population of the colony was in June 1851 reported to be 191, of whom 42 were Indians, and Castro enjoyed the dignity of his position, poor though it was. Great was his indignation, therefore, on learning that a superior had been appointed for the colony in the person of Lieutenant-colonel Negrete, as deputy inspector. Brave and loyal, Chaves shared his feelings, and promised to check the aspirations of the interloper. While his chief took refuge across the border, he boldly arrested the inspector and sent him back to La Paz under certain invented accusations, after dissimulating long enough to secure all the supplies brought by him. This proceeding opened a reign of disorder among the factions now arising, rival leaders striving for supremacy midst conflict, pillage, and outrages which interfered with agriculture and other industrial developments, and so increased the misery that desertion became the rule, and the colony wasted slowly away. This anarchic condition not only encouraged the roaming tribes in their raids, but struck the wayward fancy of foreign adventurers. The success of Austin and his companions in building up a rich republic in Texas excited to emulation, and the comparative neglect of the Mexican government for the northwestern provinces fostered it, the more so as these territories were rich in mines of gold and silver. The discovery of gold in Alta California had filled that state with a class of men eminently fitted

As early as 1851 hostile projects assumed a threatening aspect,[5] and the operations of Raousset de Boulbon in Sonora in 1852 revealed the determination with which such men could follow flimsy pretexts, while his short-lived victory at Hermosillo served to inflame the minds of a large number of men in Alta California. Among them a certain little wiry, plain-faced Tennessean, some thirty years of age; a reserved man, slow of speech, swift and noiseless as a snake in action, with the seal of an indomitable will set upon his firm lips, and a relentless soul looking out through his steel-gray eyes—eyes so peculiar in shade and expression that they fascinated while they repelled, and seemed to subordinate the will and read the thoughts of him upon whom their steady gaze was bent. Such was the appearance of William Walker, editor, lawyer, filibuster, whose pen was as sharp as his sword, and as ready for attack. Brave, energetic, resolute, ambitious, and unscrupulous far beyond ordinary men, he appeared to have been created for the desperate work before him, save that he was called to play his part some centuries too late.[6]

for making encroachments upon their neighbors' property. As gold became scarcer, the more restless of these adventurers began to look about them for a new harvest field. It mattered not who might own the imaginary Eldorado; if they were only strong enough to take and hold it, it was theirs by the only code they recognized, and they turned their eyes to Mexico; for had not their own government pointed to her as fair game?

[5] In June 200 men came to La Paz, ostensibly to trade, and 400 more were expected. *Universal*, July 18, 1851. For Sonora expeditions, see under that province. *Mex. Mem. Guer.*, 1852, 17–19. Preparations for defense were made in Feb. 1852. *Doc. Hist., Baja Cal.*, ii. 253–61, 536–60, passim. These threats and the consequent arming and irritation led to the murder in that month of two American miners, Isaac Banes and Van Ness, near Guadalupe, by greedy soldiers. Evidence in *Id.*, ii. 266–583, passim.

[6] He and his companions contemplated a scheme similar to that of the French count, and two agents had been sent to Sonora to obtain as a foothold a grant of land near Arispe, in return for an offer to protect the frontier against the savages; but warned by Raousset's action, the government would not listen to the proposal. Walker, therefore, decided to renew the application in person, and in June 1853, accompanied by Henry P. Watkins, he sailed from San Francisco for Guaymas. The authorities, however, treated him with suspicion, and the two sheep-faced wolves were forbidden to proceed into the interior. At this point of affairs, as Walker relates, news came of fresh Apache outrages, threatening Guaymas itself, and 'several

The acquisition from Mexico of the Mesilla tract of northern Sonora, in 1854, set on foot certain rumors that Lower California and even Sonora were to be sold. This led to indignant protestations, and to appeals to the authorities at Mexico, which served at

women of the place' urged him to become their champion. This was a sufficient pretext, and he resolved that not only Guaymas, but the whole people of Sonora, should have protection, and forthwith returned to San Francisco to prepare for his chivalrous undertaking.

Little time was lost on his arrival there. A recruiting office was opened, and volunteers were rapidly enlisted; bonds of the projected republic of Sonora were printed, and as money was plentiful and speculation rife in those days, they were sold to some extent. With the proceeds, and subscriptions from interested parties, arms and munitions were provided, and the brig *Arrow* was chartered. General Hitchcock, however, commander of the United States forces in California, took upon himself to interfere with this breach of neutrality toward a friendly power, and seized the *Arrow* September 30, 1853. Impatient at delay, the filibusters chartered the *Caroline*, transferred their stores and three guns to her, and silently departed during the night of October 16th, with 46 men on board, with Walker at their head. So sanguine were the adventurers, that a full-fledged administration had been mapped out, and a full corps of army and navy officers appointed. Although Guaymas was the understood destination of the expedition, it was decided to make the first descent on Lower California, and after touching at Cape San Lucas, the *Caroline* anchored at La Paz November 3d, under a Mexican flag. Confident that he was not expected, Walker, with two of his officers, went on shore and called on Governor Espinosa. After having satisfied himself of the defenceless condition of the place, he caused his men to land in force, and before the inhabitants had thought of danger, the town was in possession of the filibusters, and the governor a captive. Forthwith the new republic was proclaimed, with Walker as president; an appropriate flag was hoisted, composed of two red stripes, with a white one between, which bore two red stars representing Lower California and Sonora; and the code of Louisiana was declared to be the law of the land. To please the natives, all custom-house duties were abolished. Walker, however, did not deem it safe to remain long at La Paz with his small force, as troops might be expected from the mainland, and on the 6th he reembarked his men for the purpose of removing to Cape San Lucas. At this juncture a strange vessel entered port, which was boarded, and proved to be carrying Colonel Rebolledo, the newly appointed governor, who was at once transferred to the *Caroline*.

The approaching departure of the filibusters seems to have infused courage into the men of La Paz, for a party of six Americans, while gathering wood ashore, were fired upon, soon after the capture of Rebolledo. Walker landed with thirty men to the rescue, while the *Caroline* opened fire on the town. A lively skirmish took place, in which the Californians were routed, with the loss of six or seven men, according to the account of the Americans. The *Caroline* now sailed for San Lucas, but a Mexican cutter cruising off the cape so wrought upon Walker's apprehensions that he continued his voyage to the bay of Todos Santos, or Ensenada, as it was frequently called. Here he was safe from any Mexican land force, and if attacked by sea was within easy retreating distance from the United States' boundary. Accordingly, he established his headquarters in a monastery adobe building near the bay. In this isolated place he remained till the latter part of December, during which time the filibusters were engaged in several skirmishes with the military colonists of Santo Tomás, who on one occasion laid siege to their building.

least, in connection with the late attack on La Paz, to obtain for the peninsula greater consideration, involving the establishment of a presidio, with a force of about 600 men, brought by Colonel Ochoa, 360 men being there three years later. Steps also

which had been dignified by the name of Fort McKibbin. The assailants were, however, driven off, and shortly afterward surprised and routed, with the loss of a gun and camp equipage. The exultation of the Americans at this success was greatly damped, however, by discovering one morning that the *Caroline* had disappeared with a large proportion of the stores. The fact is, that the fears of the captain had been so wrought upon by the representations of the two captives, that he agreed to carry them down to San Lucas. Walker now found himself in a predicament, but help unexpectedly arrived before long. Exaggerated accounts of the 'battle of La Paz' had reached San Francisco, creating great enthusiasm. Again the recruiting office was opened, to which repaired the drifting vagabonds of the city in such numbers as to exceed transportation means. The bark *Anita* was chartered, and well stored with arms and provisions. There was no attempt at concealment, and the authorities looked passively on the flagrant violation of law and honor. On December 13th the *Anita* sailed with 230 men on board, followed by others on the coast steamers, while many more, in the madness of their excitement and lust of gain, left San Francisco on foot for the new land of promise. On December 20th the vessel entered the Ensenada, and Walker's first act was to send 65 men to take Santo Tomás, which was accomplished without a blow being struck. He organized a government, and began drilling his men. On January 18, 1854, he issued a decree proclaiming the union of that province with Lower California, under the title of Republic of Sonora.

But among the late comers there soon arose a great deal of grumbling. They had expected to find a Canaan, and not a wilderness. They had dreamed of rich plunder and sumptuous fare, instead of a few hungry cattle to raid, and jerked beef with boiled corn to eat. An opportunity for secession was afforded in the distribution of animals for transportation stolen from the settlers. The original thieves claimed more than was their share, and threatened to withdraw. Walker assembled his men and made a spirit-stirring address, then called upon all who would stand by the cause to hold up their right hands and swear to do so. Most of the men took the oath, but about 50 declared they had enough of filibustering, and were allowed to depart. But this first break proved contagious, and desertion set in to such an extent as to exceed the reënforcements, which continued to arrive. As the example of a few executions and floggings failed to make an impression, Walker hastened his departure, and on March 20th set out from San Vicente. After leaving a small detachment to 'hold the country,' he had only 100 men, less than one third of the force he at one time counted. After a week's toilsome march the Colorado was reached, the number of his followers continually decreasing. It was decided to cross six miles above the mouth of the river, which was 400 yards wide and very deep at that point. In attempting to swim across the river most of the remaining few of the cattle which they had brought were drowned or escaped. The men passed over on rafts, and the entry into the promised land was celebrated by a cold-blooded murder. Captain Douglass, an officer who had already shown himself a brutal tyrant, shot dead an Englishman, named Smith, who in his hunger had filched a little boiled corn belonging to the captain. Walker remained encamped on the Sonora bank of the river for three days, during which desertion reduced his force to 35 men. The indomitable determination of the filibuster leader was forced to yield. It would have been madness to pro-

were taken to form a bishopric in the peninsula, to which end Escalante, bishop in partibus de anastasiopolis, arrived in 1855 with three clergymen. The Dominicans abandoned the secularized missions, and orders were issued to restore all their unsold lands for support of ministers.[7]

cend; but he would not yet give up Lower California: and on April 6th he recrossed the Colorado and led the ragged, dejected band of the faithful few who still followed his misfortunes toward San Vicente. Before the departure of the Sonoran expedition the frontier settlers, driven to the verge of despair by the desolating exactions and ravages of the filibusters, had already combined against them, and when the main body departed, the small detachment left behind was soon captured in detail or driven across the boundary. The Californians next attacked Walker on his return, who although he reached San Vicente, found it impossible to sustain himself there. He therefore turned toward the frontier, hotly pursued by the enemy, with whom he maintained a running fight till near the border, where he and his party surrendered themselves to some American officers, who had approached as mediators. They were allowed to give their parole to report themselves to General Wool at San Francisco, to answer the charge of violating the neutrality laws. To this end they were accorded free passage by steamer to their destination. W. P. Watkins, the vice-president of the visionary republic, and F. Emory, secretary of state, had been arrested while on a recruiting tour in California, for infringing neutrality laws, and fined $1,000 each. Neither of them were ever pressed to conform to the judgment, and the prisoners sent to San Francisco had nothing to fear. Indeed, Walker alone was held to answer before the courts. He was tried and acquitted! It is unnecessary to enter into the details of this judicial farce further than to remark that the judge declared that from his heart he sympathized with the accused. If such were the sentiments of the judge, what must have been the sentiments of the people? To most of them the filibusters were venturesome heroes, fresh from doughty enterprise, pioneers of 'manifest destiny,' who, if checked by failure, had, nevertheless, effected a step onward in the march of progress, and toward the realization of that dream which pictures the entire northern continent under the stars and stripes. To right minded men the expedition will ever appear as an impudent crime.

[7] The man charged to carry out the paternal intentions of the government was General J. M. Blancarte of Jalisco, sent by Santa Anna in 1854 to replace Robledo. He had rendered great service to the dictator, and disappointed with this petty appointment, turned against his patron, toward the end of the year, by pronouncing for the plan of Ayutla, and issuing a provisional constitution in accordance therewith. In December 1855, the legislative department, suspended during Santa Anna's rule was reinstated, J. M. Gonzalez being chief political person. During his administration Blancarte had shown a disposition to act in an independent manner. In the preceding month Captain Zerman presented himself in the name of Alvarez, with two vessels and 150 men to form settlements. As the men were all foreigners Blancarte chose to regard them as filibusters, caused them to be arrested, and sent them as a guard to Mazatlan. Early in 1857, rumors of another expedition from San Francisco were seized upon by him as a pretext to leave the country. He had again been reappointed governor, owing to the resignation of Gomez August 1, 1856, to procure pay and resources. In reality he abandoned it to join a revolutionary movement, and not only took with him all his own men, to the number of 300, but seized three vessels with troops accompanying General Noriega, who had touched at La Paz on his way to Sonora. This proceeding exposed the peninsula to great danger. In con-

The entry of troops from the mainland secured peace in the south as well as in the north. Long repressed industries, notably agriculture, soon revived, with a consequent increase of prosperity. Foreigners felt encouraged to work; and by opening mines so increased trade that a San Francisco steamer was induced to touch monthly at San José and La Paz,

nection with the presidio the government had established penal settlements at La Paz and Carmen island for convicts from all the western states. Those at the latter place seized a vessel and escaped; the convicts at the capital broke out in open revolt but were checked by the aid of Sinaloa troops sent to replace those taken away by Blancarte.

Another deplorable result was the revival of the former strife for power, now that the governorship was left in the hands of the legislature, and as heretofore the members held office in rotation for brief periods. During the period of the reform war in the republic, it was natural that the remote provinces not involved in it, should nevertheless adopt the rallying cries of the conservative and liberal factions, to give color to the strife in behalf of favorites. In Lower California, during the early part of 1858, the conservatives were in the ascendant, but in August the liberals concentrating in La Paz elected Ramon Navarro governor, and in March 1859 a legislative quorum proclaimed that the peninsula, while adhering to the federal constitution of 1857, assumed independent rule until peace was restored, and threw open her ports to foreign trade and intercourse. A year later, in February, 1860, the ambitious Californians went further, and ignoring her position as a territory, passed an organic law, establishing a superior tribunal, and ordering the election of governors by the people. During the same month, however, Governor Amador, the Juarist appointee, arrived and was submitted to, as he had sufficient support to assert himself; but no sooner did he depart on a visit to Sinaloa in July, then the storm broke out. The legislature reinstated the popular Navarro; the opposing faction, centered at San José, headed by the Castros, and reënforced by Amador, who sent Arana to aid them, fell suddenly upon La Paz, dispersed the nationalists with loss, and exacted a heavy contribution upon the rival town. The discomfited liberals sent to Sinaloa for aid, and having obtained 200 men, swept down in turn upon San José, and took their revenge by sacking and confiscating until misery reigned. Then they restored the former order of things. Worse still was the condition of affairs in the frontier district, which had become the resort of criminals and fugitives. Melendez, who had taken a brave stand against Walker, had been made provisional commandant; but in June, 1855, Lieutenant Pujol arrived to claim the post, and when Melendez objected, caused him to be treacherously seized and shot. In September of the following year José Castro, former comandante general of Alta California, removed Pujol and took some admirable steps to secure order and better government, but which, as usual, were not carried out in any efficient or lasting manner. During Castro's absence in 1859 his lieutenants Saenz and Esparza became engaged in hostilities against each other, and Castro having returned fell by the hand of a murderer during a melée. A number of innocent partisans on both sides met with a similar fate. This reign of terror was put an end to by the arrival in March, 1861, of the war vessel *Reforma*, when the leading insurgents were driven out, and J. M. Moreno was installed as sub-jefe. By this time nearly all the better class of people had departed, trade had disappeared, agriculture lay neglected, and the poverty-stricken people who remained lived on little else than beef. Moreno convoked the ayuntamiento once more, after a long interval, and appointed local judges to assist in the task of reconstruction.

while the custom-house revenue rose for the two prosperous years to about $100,000. Unfortunately, the winter of 1863–4 proved so extremely dry as to produce great loss in live-stock and crops; and the mining excitement abated, owing in a great measure to the lack of capital among most of the miners, who had rushed in* to speculate rather than develop their claims.

*In 1862 the war of intervention in Mexico began, and, as before, remoteness saved the peninsula from being locally affected by its devastations. A demand was made, however, for a contingent of 200 men to assist the republican cause; the salt-fields of Carmen were leased, and an immense colonization grant was made to American capitalists in the central part of the territory, to obtain funds for the general government. Pedro Navarette, who had succeeded as jefe político in 1863, showed himself rather lukewarm toward the government. When, in the course of 1864, French war vessels touched at La Paz, the jefe received the officers in a polite manner, though refusing to accept the empire, and allowed them to seek what supplies they could obtain, powerless as he was to resist. In the following year his successor, Felix Gilbert, a progressive member of the diputacion, was called upon to accept an imperial commissioner in the person of Espinosa, or take the consequences of a forced installation. The jefe convoked the legislature, and this body decided in November that it would be prudent to yield. The French thereupon departed. This encouraged the patriots and others to rise under Navarrete and Cota, and drive out both the commissioner and the obsequious jefe, who was suspected of imperialist sympathy. Antonio Pedrin, senior member of the assembly, assumed control until the election in June. The choice fell on Navarrete. Pedrin refused to surrender the office, but Navarrete, sustained by San José and other districts, marched upon the capital, gained control, and banished his opponent. But he soon angered both natives and foreigners by maintaining a costly armed force and levying contributions, although the latter were due partly to the drain caused by Franco-Mexican war contingents, and to the decline in custom-house receipts. The confirmation of Pedrin as jefe by Juarez was therefore well received, and he obtained armed support even from late adversaries to oust Navarrete in the following September. Pedrin displayed a commendable zeal for peace and progress. He ordered an enrollment for a militia, and the formation of a flying rural guard of 25 men for the maintenance of order; moreover, the advisory council, which of late figured in lieu of the legislature, was replaced by a regular elected assembly, which met on December 10, 1867. Among its measures was the lessening of peonage misery by placing debt contracts under legal supervision, and the drafting, for congressional consideration, of territorial constitutional amendments to embrace an elected senate and lieutenant-governor, as well as governor. Congress ignored both the legislature and its constitution, as partaking of features claimable only by states. The election of a jefe was ordered for 1868, by the legislature, in accordance with the local law, and as the northern members failed to present themselves, the oldest, Cárlos F. Galan, assumed the position provisionally. He soon gave proof of his intentions in a number of local measures, but an excess of zeal in behalf of an exhausted exchequer and clamorous territory induced him to permit the landing of a foreign cargo at La Paz. The result was the arrival of a government force of 200 men under General Dávalos. He assumed control in May 1868, arrested the jefe, and introduced reform into the much neglected federal departments, while defeating the efforts of the assembly to install a locally-elected ruler.

The occupation of the peninsula by the United States in 1847–8 left agreeable impressions among the invading soldiers, and many of them returned to settle as farmers, miners, and traders. The manifest destiny idea also was strong among the Americans, with the belief that Lower California would be among the first provinces to be ceded, and speculators became eager to secure an early interest in the prize. Several parties accordingly sought land grants, with the condition of introducing colonists, for the government had long recognized the value of foreign immigration for unfolding natural resources.

An important grant was made to the Lower California Colonization and Mining Company[9] in 1864, embracing the vast tract lying between latitudes 24° 20′ and 31°, or nearly 47,000 square miles, on condition of reserving one-fourth of the land for Mexicans, of introducing at least 200 families within five years, and of paying to the Juarist government $100,000 on account of the land to be occupied.[10]

There were several other colonization enterprises

[9] Incorporated at S. F. in Oct. 1862, with a capital of $40,000, by Jacob P. Leese. Prospectus, etc., published in a series of pamphlets under the name of the *L. Cal. Co.* from 1862 to 1866.

[10] As there appeared little prospect to carry out the contract from Cal., it was transferred in 1866 to capitalists of the eastern U. S., who at once sent a party to make the first scientific exploration of the territory. The report was unfavorable as regards the resources of the tract concerned, especially its soil and water supply. This clouded the enterprise for awhile; but the contract term being extended, the shareholders resolved to seek some profit from the transaction, by fair means or foul. An advance party was sent from S. F. in Aug. 1870 to make a beginning by constructing roads, clearing land, and opening wells. The artesian sinkings proved a failure, and doomed the colony. It so happened, however, that the coast was found rich in orchil dye, and heedless of the lack of resources for a settlement, about 300 persons were sent out from New York under contract to gather moss, and to become colonists. Lack of houses and other accommodations, poor food and insufficient water, together with a desert-like surrounding and a torrid heat, frightened the greater portion of them into promptly abandoning the supposed paradise, and gaunt, ragged, and penniless, they sought refuge in Alta California, while others struggled across to La Paz and other towns, only a handful being persuaded after this relief from pressure to remain. Meanwhile the government annulled the grant, whereupon the jealous officials of La Paz made a descent upon the lingering remnants of the colony, and dispossessed the company's agent. This gave a much desired pretext for a $10,000,000 claim upon Mexico, which was compromised by allowing the company the privilege to gather orchilla for six years.

during these two decades, with merely an occasional faint success to sustain lingering hope;[11] yet something must in time result from these several efforts. The suspicion of United States designs upon the territory[12] tended to sustain a not very friendly feeling of the inhabitants toward foreigners, as well as a cautious attitude on the part of the authorities. Nevertheless the value of immigration is understood, and recognized in the great impulse imparted during the last decades to mining and trade at least. If agriculture failed to keep pace, it must be attributed greatly to the insecurity not only of life and property, but of land titles, a state of affairs which is rapidly changing under the late firm administrations.

The fact is that the immense agricultural and mineral resources of Lower California need only be thor-

[11] *Mex. Dist. Offic.*, March 7, 1870. At the time Leese obtained his grant, Cochicoa received 45 sitios for colonization, toward which no attempt was made. *Mex. Mem. Fom.*, 1866, 103. Milanovich's grant of 193 sitios failed through infringement of land laws. *Mex. Mem. al Emp.*, 1865, 567 8. The Peninsula Plantation and Homestead Association obtained a large, fertile tract along the Mulege bay, and a city was to be located 70 miles s. w. of Guaymas. Thirty thousand shares were offered to actual settlers at $16. *Browne's L. Cal.*, 175 6. The gov. granted in 1870, $3,000 to aid two colonies, one near the frontier, the other on Guadalupe island, where the Comp. de Guad. bought Castro and Serrano's title of 1839, and engaged in raising Angora goats and sheep. *Mex. Mem. Hac.*, 1873, ap. i., 9–13; *Estrella Occid.*, July 1, 1870. Shortly before some Americans descended on the island and slaughtered the wild goats, to the number of 25,000, it is said, carrying off the skins and fat. The Gulf of Cal. Commercial Co. was the title of a second Mulege colony association, formed at S. F. in 1871. *Alta Cal.*, Dec. 28, 1871. Official examination of Colorado river lands was made in 1866; *Voz Mej.*, Feb. 1, 1866, and in 1874 the Colorado Hemp Co. sent a party down to cultivate hemp, with the aid of Indians. *L. Cal. Scraps*, 185. Hyde, once alcalde of S. F., planned a town 8 miles from San Quentin salt-fields, which took no embodiment. *Browne's L. Cal.*, 110. At Scammon's bay two score men were introduced in 1870 by Jansen to gather salt. His right was contested. *Mex. Dist. Offic.*, June 9, 1870. The Carmen island salt field was contested upon the Cal., Oregon, and Mex. Steamship Co. in 1867 for $75,000. *Rolfe Cal.*, Nov. 16, 1867. Chinese have long been occupied on the western coast in gathering abalone shells and other products. *S. F. Golden Era*, Mar. 9, 1869; *Arch. Mex., Cal. Leg.* v. 568 9; *Voz Mej.*, Dec. 30, 1862, with allusions to lapsed grants. In 1880 the Guaymas and Mulege Trust Co. formed at S. F. to cultivate sugar, and 36,000 hectares were granted to Kelly & Co. *Mex. Hacc. Offic.*, June 17, 30, 1880. For the concession to Andrade in 1878 see *Mex. Recop. Leg.*, xxviii., 148–54.

[12] Supported by the acquisition of a coaling station on Pichilingue island, in front of La Paz. *Alta Cal.*, April 20, May 27, 1870; by the minute explorations of the coast in 1873 and 1878 by the U. S. steamers *Rambler* and *Narragansett*, *Id.*, Mar. 27, 1873, June 16, 1878; and by congressional inquiries.

ougly understood to engage capital for their development; while the conditions of life in this region, among which its soft and healthful climate is a most noteworthy feature, are such as to strongly induce thrifty laborers and home-builders to settle there. The republic of Mexico has been enjoying for some years the benefits of peace and an enlightened administration of affairs. It has been doing much to encourage industry and to promote modern improvements on a large scale. Under the new régime railways have been constructed, telegraph lines have become fairly numerous, mountains and uninhabited regions being spanned to bring distant border colonies into ready communication with the commercial world, and postal facilities have been much enlarged.

The government has appreciated the importance of an increase of population, and to this end has awarded to colonizing companies subsidies, most of them in the form of grants of large tracts of land, accompanied with exemptions, to induce the coming of a desirable class of foreigners.[13] The colonization act of December 15, 1883, is an invitation to the citizens of friendly nations to settle in Mexico, and share in the advantages of a new country rich in every element conducive to the comfort and happiness of man. This law also provides for the partition and distribution of the public lands on a most liberal scale. Under it several projects of colonization have been entertained, abroad as well as at home, and a number of colonies have been established in different states. The national constitution bestows the rights of Mexican citizenship upon all foreigners owning real estate or having Mexican-born children, a privilege which the present administration has rendered quite acceptable to foreign settlers. The renouncement of his former nationality is, however, a matter of choice with the settler. He is given, furthermore, for twenty years the right of importing free of duty, for his personal

[13] *Bancroft, Vida de Porfirio Diaz*, 574–6.

use, household and personal effects, farming implements, seeds, horses and cattle for use and for breeding, tools of trade or instruments of profession, building material, and machinery of any kind for manufacturing purposes.

The elements of wealth possessed by Lower California have not passed unperceived. Taking advantage of the liberal laws and favorable conditions, the International Company of Mexico, a corporation existing under a charter of the state of Connecticut, and having its headquarters at Hartford, has virtually become a distributing agent of the Mexican government, by acquiring a complete and perfect title to eighteen million acres of land in Lower California, all of which have been duly surveyed by the company. For this service it obtained one-third of the tract without further cost; the other two-thirds, it is understood, were acquired by actual purchase from the national government.[14]

The climate of the northern portion of the peninsula, where the company's lands are situated, is all that could be desired. If not superior to the climate anywhere else, it is certainly as good as any along the coast. The same may be said fairly of its soil, for the production of fruits and grain. The extreme temperature at Ensenada in summer is placed at 97°, and the coldest about 40° Fahr.[15] It is related that a tomato plant grew in a garden continuously for four years, with no signs of frost. Garden vegetables are sown and gathered every month of the year.

The country is also excellent for stock-raising: the varieties of grass being wild oats, wild clover, alfileria, and bunch-grass, besides numberless shrubs abounding in the mountains and foothills. Neat cattle enjoy great advantages of climate, shelter, food and water; while the conditions are excellent for the breeding of

[14] *L. Cal., Descrip. of Lands*, 5-9.

[15] Observations taken by U. S. officers in June, July, and August showed an average of 76°, and through the winter months of 55°

horses, mules, sheep, and goats. The horses raised in this region are noted for endurance. Mules of extraordinary size are bred; and there is a large demand for them at remunerative prices. Sheep, owing to the uniformity of climate, yield a wool of remarkable evenness. Even goat-raising here becomes a profitable industry. Under the protective system of Mexico, manufacturing interests, such as woolen-mills, tanneries, etc., have opened to the produce of this favored region the large demand of a whole nation.

Another source of wealth, subordinate, perhaps, to that of agriculture, is mining. Copper mining has been carried on for a decade or so in some localities, while other places known to contain rich deposits have remained almost unnoticed. Little has been done even in the richest fields, owing to lack of capital and other obstacles, which intelligent energy can easily remove. There are extensive ledges of gold-bearing quartz in many places. Coal, sulphur, alum, nitre, soda, borax, talc, kaoline, quicksilver, tin, nickel, antimony, iron, zinc, and lead abound. Salt and guano deposits and a variety of valuable stones are also to be found. All these elements of wealth are calling for the industrial hand to bring them into commercial existence. A large extent of the company's southern land is covered with precious woods, such as rose, ebony, mahogany, and cedar, various gums, and dye-woods, on which the natives placed so little store as to make charcoal of ebony. There are also many thousand acres of pine and live-oak.

The lands of the International Company comprise the northern or upper portion of the peninsula. Their property commences at the line fifteen miles south of San Diego, near the 32d parallel, extending southward a distance of about 300 miles, with an average of 100 miles in width, having the Pacific ocean on one side and the gulf of California on the other. Until lately the population of the whole region did

not exceed 500, Mexicans, Americans, and other nationalities. It was a peaceful community, where life and property were safe.[14] It seems evident that, this being an agricultural region, the condition of society on the lowlands will be permanent; while, when the mines on the mountain chain shall be opened, the people occupied in working them will form a community by themselves, relying for food staples and other supplies on the surrounding districts.[15]

The officers of the International Company have been offering their lands to the public. Under the terms of their contract they are bound to settle a number of colonies within a given time. It is understood that seventy per cent of the settlers may be foreigners. The Mexican government has incurred no obligation to aid in forwarding the operations of the company, either with subsidies or privileges, other than those set forth in the revised colonization law of 1883. Money expenditures must be defrayed by the company, or the settlers, as the case may be.[16] There is every reason to believe that the efforts of the company will result in developing this interesting country, whose wealth has hitherto lain dormant and useless to civilization.[17] There is a part of the native population who, from race prejudice, oppose the enterprise, although in common with the rest of mankind they

[14] George Ryerson, the commandant of the northern district during the last six or seven years, speaking on the advantages of his district, says that a few acres suffice for support; that the earth and sea teemed with food; and that he lived in the district about 23 years without a lock to any door of his house. Ryerson was born in Texas in 1830, when the country was a part of Mexico. Though he has lived in the U. S., he has ever remained a Mexican citizen, serving in the Mexican army in 1847, in the campaign against William Walker in Lower Cal. and Sonora, and lastly during the French war in Mexico, with the rank of major, which he now holds. He owns a tract of land given him by the Mexican government in the northern district of L. Cal. His last commission as chief executive officer of that district was issued in 1885, and is still in force. *Ryerson's Experiences*, MS., 1–13.

[15] Thus the agriculturists will have the mines of the interior as well as the markets of the seaboard to depend upon, being able profitably to compete in the latter instance by reason of the superior quality of their produce.

[16] The lands, as advertised, may be purchased either for cash or on time.

[17] In December 1886 a large number of families selected tracts, where they proposed to cultivate grapes and olives, and a steamer was placed upon the route between San Diego and Ensenada.

confess that the best interests of the country will be served thereby, the undertaking being managed as it is by highly honorable and able men. Yet generations must pass before the vast resources of the company can be fully developed, covering as they do immense tracts of land in several states and territories of the Mexican republic, besides large railway and telegraph contracts, and other franchises of a commercial as well as agricultural nature.[20] As to the Ensenada grant, it is understood that its development will be confined to the bay of Todos Santos, which, for climatic reasons, will be the base of the company's operations, as well as the headquarters of its peninsular railroad, and of its steamship lines. Of the latter, it seems that there will be two: one from San Diego to Ensenada and San Quentin, and the other to San José de Gua-

[20] In Sonora they are said to have, under three grants, the public lands existing in seven of her nine districts; in Sinaloa, under two grants, one-third of all the public lands in seven of her nine districts; in Guerrero, one-third of all the public lands; and in Chiapas, under two concessions by one of them one-third of the public lands, and by the other 75 per cent of the remaining two-thirds. In railroads they have a concession carrying with it a subsidy from the Mexican government of $12,000 per mile, to build from San Diego, or any point near there, to Ensenada, and other lines from Ensenada to Yuma, with a branch running across to the head of the navigable waters of the gulf, eastward to Chihuahua. Another franchise gives a subsidy of $12,000 per mile to build a railway from the Pacific port of San Benito across the headwaters of the Grijalva river, which makes, in a distance of 180 miles of railroad, a complete transcontinental line 1,250 miles shorter than any other line between New York and the Pacific coast. This line presents advantages over any other route. The distance is shorter than the northern lines, and healthier than the southern; after leaving the sea-coast it will traverse a salubrious table-land, where a valuable trade can be built up. The line also passes through the finest coffee region.

Another franchise is to run a steamship line from San Diego, or any other U. S. port, down the Mexican Pacific coast, stopping at twenty Mexican ports, and terminating at San José de Guatemala. This franchise carries with it a subsidy of $3,000 for the round trip, in addition of $60 per head for every foreign immigrant over seven years of age, without restriction as to number. The proprietors of the International Company have also three grants giving them for an extended term the right of working all the guano beds on the Pacific coast belonging to Mexico. They also have the right to work all the deposits in the gulf of California. They have been employing 300 men for two years, and shipped guano to the value of about $1,000,000. They have several other grants, namely, the ownership of the islands of Cedros, Guadalupe, Socorro, and Coronado group.

In Sonora they have a grant conveying the exclusive right of canalizing the river Yaqui, and using its waters during 55 years to irrigate millions of acres. The company has been engaged in developing its grants in four different states; building railways, canals, and piers; and expects to build piers in twenty-two ports. *Sisson's Dictation*, MS., 1–4.

tomala.[21] In anticipation of the railway from San Diego, a telegraph line to Ensenada has been built, and many other improvements, including extensive irrigation works, have been begun, thus preparing for the large immigration setting in from Europe and elsewhere. The associates having the ownership of this imperial domain incorporated with a capital stock of $20,000,000. They are men of large wealth, far-seeing intelligence, and irresistible energy, for which reasons the Mexican government was led to make these liberal and unusual franchises, being prompted by a conviction that such a course would conduce to the general well-being of the several states.

But although several persons are now interested in the vast plans of the International Company of Mexico, its founding was due to the genius, industry, capital, and foresight of one man, George H. Sisson, the vice-president and manager.[22] It came about in

[21] The steamers to be constructed were one of 1,000 tons, another of 500 for the local trade, and five more boats for the Central American trade. *Id.*, MS. 4.

[22] Major George H. Sisson was born in Cass county, Michigan, in 1844. After receiving a common school education, he attended Ashbury University for two years, Ann Harbor Law University for two years, and Albany Law School one year, where he graduated at the age of twenty-three. In 1867 he married Miss Sarah Scofield, daughter of Edward Scofield, D. D., who was a bosom friend of Gen. Harrison, president of the United States, and the Greek tutor of Henry Ward Beecher and Harriet Beecher. Sisson practiced law several years, and transacted other business, accumulating a considerable fortune. Having suffered heavy losses during the financial depression of 1873, he turned his attention to mining in Colorado and Arizona, availing himself of the knowledge he had acquired of the business from his father, who had been a metallurgist. This knowledge materially aided him in his investments. Among the mines he became interested in were the Old Globe of Arizona, which has yielded from $600,000 to $1,000,000 per year for the past six years, and the copper mines of Clifton, Arizona. In acknowledgment of his superior ability in that direction, the university of Tennessee conferred on him the diploma of mining engineer.

It was a grand idea which led Major Sisson to apply his large means, his almost unlimited mental and material resources, to the development of this great colonization enterprise. With the influence of Luis Huller, himself a man of great genius and practical ability, he succeeded in obtaining by purchase several private grants in Sonora, aggregating 750,000 acres, where the two men as partners operated several gold and silver mines, the management of which Huller still retains. They subsequently obtained from the Mexican government a grant of land on the Yaqui river valley; and later petitioned for the right to acquire the entire valley by survey and colonization under the revised law of Mexico of 1883. They were granted the right to acquire, under the colonial law, by purchase and survey, much more territory than they had asked for. This grant was followed by the others of which I have elsewhere made mention. *Sisson's Biog.*, MS., 1–5.

this way: After the acquisition of immense tracts of land in several states and numerous franchises, Major Sisson thought that the interests of his enterprise would be best served by securing the aid and counsel of other men of broad minds and large pecuniary means to carry it out to successful results. Calling at New York city upon his friends, who at once saw the possibilities of grand returns, articles of incorporation were drawn up in March, 1885, and a charter was granted to the association by the legislature of Connecticut, incorporating it with a capital stock of $1,000,000; the stock, under subsequent legislation, was raised to $20,000,000. Sisson and Luis Huller deeded to the company all lands held under their grants. The company then went on to make further acquisitions, as I have narrated.

The general officers of the International Company of Mexico are: Edgar T. Welles of Hartford,[23] at one time acting secretary of the navy, president; Major George H. Sisson of Ensenada, vice-president and general manager; Colonel Thomas G. Welles of Hartford, assistant general manager; Hon. R. A. Elmer of New York, treasurer; W. E. Webb, general land commissioner; Charles B. Turrill of San Francisco, assistant land commissioner; Lyman R. Ingraham of Hartford, secretary; Captain Francis Pavy of the queen's household guards, London, European representative;[24] Luis Huller of Mexico city, resident

[23] Mr Welles is a graduate of Yale college, and though a member of the legal profession, has devoted his energies to other pursuits. He is now giving a great part of his time to the affairs of the International Company of Mexico, and the subsidiary organizations connected therewith. He is also treasurer of the Gatling Gun Company of Hartford, vice-president of the Wasbash Railway Company, and president of the Granby Mining and Smelting Company of St Louis, one of the largest lead and zinc companies in the country.

[24] Captain Pavy was a commissioned officer of the 74th Highlanders in India during the great revolt, seeing much service and undergoing many hardships. He was subsequently given a permanent appointment on the staff in civil service in the Madras revenue survey department, for which he was eminently fitted by his knowledge of mathematics and surveying, as well as of the Hindoostanee language. In 1866 he was promoted to the captaincy, but weary of the inaction of home service, he retired on half-pay. He soon after revisited India on business, and later travelled in the West

director; William Hamersley of Hartford, solicitor and general counsel of the company. Max Bernstein is resident agent at Ensenada.

Other persons are also entitled to special notice in connection with this vast enterprise for the valuable services they are rendering toward the accomplishment of its great purposes. Among them I must mention George C. Cheape, of Scotland, and Charles Scofield, late of Arizona. A few biographical remarks on these representative men will not be out of place.

In honor of the Mexican statesmen, Cárlos Pacheco and Manuel Romero Rubio, they gave their first two colonies their names, calling the one at Ensenada, Colonia Cárlos Pacheco, and the one at San Quentin, Colonia Manuel Romero Rubio.

Indies and Canada on important missions. He was pretty constantly in France during the Franco-German war, having meantime retired altogether from the army, on his appointment to the honorable corps of Gentlemen-at-Arms (Queen's Royal Body Guard). In 1873 he assumed the management of the Railway Debenture Trust and the Railway Share Trust companies of London. He became also a director of the Blaenavon Iron and Steel Company, the Westinghouse Air-Brake Company in Europe, and of several other important undertakings.

Captain George C. Cheape has served in the British regular army several years both at home and in India, and as many more in the reserve. He commanded the same troop of Fifeshire Light Horse that his father was commander of sixty years ago. He is also a magistrate of the county of Fife in Scotland. Cheape has been a great traveller in Europe and America, with an observing eye, paying particular attention to the agricultural advantages of the countries he has visited, being a practical farmer and breeder of good horses at home. In 1886 he visited Lower California, which country pleased him so much that he has since taken a deep interest in promoting the enterprise of the International Company of Mexico, though he has likewise interests in Texas, Colorado, Arizona, and California.

Charles Scofield is a native of Hamilton county in Ohio, and was born in 1856. After completing a collegiate term of three years in Illinois at the age of 20, he was two years engaged in copper and lead mining in Missouri. He was next employed in the lumber and milling business by a large firm, until 1881. He then took charge of the Old Globe copper mine of Arizona, and made it develop very extensively. This mine had been purchased by Major Saxon, who organized the Old Globe Copper Company under the laws of Connecticut. The mine being now placed in charge of an expert engineer, Scofield became the superintendent of the reduction works and furnaces, holding this position till April, 1884. Early in 1886 he joined Major Saxon at Guaymas, and together they made a two months' tour of the guano deposits in the Gulf of California. Since that time Scofield has attended to the lading and shipment of the company's guano, and has been Saxon's confidential adviser in all his vast work. He had charge of that business until July, 1886. After the surveys were completed in Lower California for the International Company of Mexico, Scofield was given full charge of the San Diego office of that company, with the handling of their finances.

The future of these vast plans it is impossible to foreshadow; but we know that the impulse which prompts them is good, and the result should certainly be beneficial, not only for the broad-minded and energetic promoters of the enterprise, but also for a multitude of others, for whom happy homes are held in prospect. The undertaking ought to be a magnificent success, and that it will be so there seems no doubt. In the olden times, the founder of a colony was regarded as akin to the gods; surely he is entitled to at least as much credit now, for as mankind swarms over the available parts of the earth, he is substantially a benefactor who finds fresh soil and healthful air, and makes it practicable for thousands to enter upon another and better life—to build new and permanent habitations for themselves and their children.

General Bibiano Dávalos held control for several years, chiefly owing to the federal force at his command, for the people did not forget the long-enjoyed privilege of electing their own governor. Dávalos proved, moreover, so arbitrary, by interfering in local elections in behalf of favorites and adherents, and making himself obnoxious in other respects, that more than one uprising was attempted, although in combination with unworthy elements. In October 1874 a party in the south proclaimed Toledo jefe, and levied contributions on wealthy citizens, besides committing some unwarranted outrages, which only withdrew support and hastened the collapse of the conspiracy.[26]

[26] In the following June a more organized pronunciamiento took place, under Emilio Ibarra and others, who, with a party of 200 men, surprised La Paz, captured Dávalos, sent the federal officials out of the country, and began the usual levy of funds. The governor seems to have been intimidated into concessions, and agreed to resign; but a detachment of federal troops held out until their comrades came up from San José. Ibarra then took to flight, and escaped by seizing an orchella schooner at Magdalena, but the pursuers were so close upon his heels that most of his followers fell captive. One result of the outbreak was a change of governor, in the person of Colonel Velasco, and he dying soon after, Miranda y Castro was appointed. The latter showed his mettle in suppressing a mutiny among his soldiers by shoot-

Remoteness from the center of authority, which for a time exempted the peninsula from the political turmoils of the mainland, at length seemed to increase the evil. Marquez de Leon, a Lower Californian who had formerly mixed greatly in local politics, and whose services during the French war of intervention, and subsequently, had gained for him the rank of general, became dissatisfied with the lack of recognition of his aid during the revolution which placed Diaz in power.[27]

ing the ringleader and disarming his followers, with the aid of citizens; and he displayed his political zeal by strictly enforcing the late constitutional amendments for the separation of church and state, with civil marriage, and other features. The Carmelite monk bishop, Moreno y Castaneda, who naturally sought to uphold the ecclesiastical privileges, was expelled from the territory after suffering persecution. Miranda's zeal led him too far, however, in levying a war tax of from six to ten per cent in aid of his patron, President Lerdo, for the latter being overthrown by Porfirio Diaz, A. L. Tapia was sent to replace him as political and military chief. Tapia showed himself fully imbued with the policy of the new administration to insure peace and order, so as to permit the development of resources and the increase of prosperity. To this end was instituted here as elsewhere a vigorous persecution of bandits, and an improved administration of justice under the code lately introduced, enforced by the creation of a judge of first instance in each of the three districts. Trade was fostered by granting a subsidy, in 1877, to a steamship line from San Blas to the gulf ports, in addition to the California Mexico line, and industries were stimulated by liberal concessions for opening guano and pearl beds, mines, and other branches, while the revenue was protected by more severe measures against smuggling and peculation, to the benefit, also, of the people, since extra taxes were obviated by the saving. The greatest need for restoration of order was on the frontier, so long the roaming place for adventurers, refugees, and criminals, to the discouragement of settlers. The discovery, in 1870, of gold placers in San Rafael valley had resulted in an excitement which brought many immigrants and started a regular stage line from San Diego; but it added, also, to incentives for marauding by Indians and bandits, who kept the authorities in activity. In Nov. 1876, political aspirants joined in the troubles, and drove out the sub-prefect, Villagrana. Jefe Tapia came up in November 1877, and arrested Moreno, who had usurped the prefecture. Eventually Villagrana was reinstalled and sustained by a guard of 25 dragoons.

The strength of the government gave little hope of starting a revolution on the continent, and so Marquez bethought himself of the more distant peninsula, where he, moreover, counted many warm friends. Failing to inveigle the troops at La Paz on October 31, 1879, he rallied the people of his native district, and laid siege to the capital on November 12, with 200 men. The military authorities at Mazatlan being warned, General Carbo appeared to the aid of Governor Tapia with 125 troops. Marquez therefore retreating, pursued by the combined federal forces. Blinded by success, the latter allowed themselves to be entrapped in a cañon, near Todos Santos, and were compelled to surrender with some loss, Carbo and Tapia escaping with a few followers and seeking refuge across the gulf. The victors at once marched back to La Paz, where their control over the territory was merely nominally disputed by the war sloop *Mexico*, which maintained a blockade and bombarded a portion of the town. Marquez installed

as jefe político, his lieutenant, Colonel Cota, and prepared to extend over the territory an organic statute, which, he claimed, would advance its welfare in a marked degree. But means were required for the sustenance of his rapidly growing forces—at one time reaching nearly 600 men—which were required to meet the expected troops from Mexico, as well as to support the contemplated general uprising on the continent. And these means had to be sought by levies of funds and provisions, which fell with great severity upon the small and not very affluent population. A reaction speedily set in, and the arrival, at the close of January 1880, of more than 400 men under Col J. M. Rangel, lent wings to the desertion that had already set in. Only a few bands remained to face the federals, who, reënforced by citizens, pursued them with relentless fierceness. Meanwhile Marquez had hastened to California to seek aid, and although practically failing in the attempt, he returned across the border early in April to join the remnant which, under Cota, had traversed the length of the peninsula. This force also melted under fear, hardships, and pursuit; and after a futile inroad into Sonora, the leaders took refuge in United States' territory, whence they were finally permitted to return to their homes.

Rangel remained as governor to heal the ravages of this unfortunate uprising, as well as those committed shortly before by an earthquake at Loreto, and to continue the task of development, which promises to realize the brightest hopes of the people. Even railway commissions have been made, to the S. Luis Pot. and Aguascal line, and to Alas and Rogers for a road from Tiguana to Punta Isabel. *Mex. Recop., Ley.*, xxxvi. 33–7; *Mex. Diar. Ofic.*, Dec. 16, 1881. A commission was appointed in 1874 to survey lands and issue titles. *Manero Doc. Interes.*, 84–7. In 1881 appeared a new revenue law. *Mex. Diar. Ofic.*, June 11, 1881. San José was opened to foreign trade in 1884—a good sign of increasing traffic. *Cronista*, April 19, 1884. A terrible hurricane and flood occurred close to this spot in Oct. 1884. *Id.*, Nov. 8, 1884. Concerning some notable marine disasters on the coast, see *Hayes' Scraps, Baja Cal.*, ix. 48–9, etc.; *Alta Cal.*, March 2, Oct. 15, 24, 1870; *S. F. Bull.*, Oct. 27, 1871, Capt. Caleb's arrest. *Voz. Mej.*, July 23, 1884.

CHAPTER XXXI.

INSTITUTIONAL.

1800–1876.

FRONTIER MILITARY FORCES IN COLONIAL TIMES—WAR FOR INDEPENDENCE—GOVERNMENT—OFFICERS AND DISTRICTS—REVENUE—CHIHUAHUA, DURANGO, SINALOA, SONORA, AND LOWER CALIFORNIA—CRIME AND PUNISHMENT—FUSION OF RACES—ABORIGINAL PEOPLES—JUDICIARY AND CODES—COLONIZATION—EDUCATION.

As a part of the viceroyalty of New Spain, for a time a semi-independent appendage, and subsequently as border region of a republic, the Provincias Internas present a reflex of the southern districts in their political and civil institutions. Moulded in the same form, the laws of the Spanish Indies have left their impress here as below, through the agency of officials and priests from the Iberian peninsula, yet a certain distinctiveness was imparted by the greater isolation of this remote interior, by its condition as a frontier extending into the domains of hostile tribes under the combined auspices of soldiers and missionaries, and its ruder aspects of life also in being primarily a mining and cattle country. It was in a sense the colony of a colony. Yet the contrast to be expected between the people of an exposed border, devoted to the hazards and hard-ships of exploiting for metal and herding, and that of the more settled south is not so marked. What difference there is lies rather in the characteristics of race, which here present a less degree of direct intermixture, owing to the relatively lower position of the aborigines and the later entry of the other castes. In Durango, Sinaloa, and Lower California the absorption of natives was favored to a greater extent by the conditions of settlement, but in the adjoining northern states we find the natives separated from the rest by sharper geographic and social lines. On the other hand, the constant influx of mestizo, and even southern Indian, elements has assisted to leaven the dominant mass into a truly Mexican composition, in sympathy with the feeling and aspirations of the nation.

This homogeneity is above all conspicuous in political aims. Doomed to subordination by paucity of population, and by dependence for protection and higher comforts of life on the central sections of the country, the cue for action in these respects came almost invariably from the same quarter. While partisan cry and strife here rose equally high, they followed rather in the wake of southern leaders, varying between liberal and conservative ideas. The latter found support in a large landed proprietary, as indicated by cattle interests, which naturally objected to the aspirations of the masses, yet the federal element was undoubtedly in the majority, based on the greater independence of spirit fostered among the masses by pursuits connected with mines and horses, while the influence of the clergy, although augmented in a sense by mission establishments, was counteracted by the paucity and semi-nomadic habits of the population, which prevented close or frequent contact with spiritual things or clerical champions. The distance from Mexico made a central régime also less palatable. Urrea well understood this tendency when he sought to start the reaction against centralism, at the

beginning of its career. Even Durango, the seat of a bishop, protested at the outset against a domination by distant Mexico that was sustained chiefly by the soldiery. Otherwise the national bond remained strong, as evinced by the brave struggle under Frias and his companions against United States invasion, and against French intervention by northwestern leaders under the distinguished Corona.

The strong military forces of the frontier in colonial times prevented any noteworthy participation in the war for independence; but the people adopted with eagerness the new order, and adopted constitutions, which, despite the disturbing effect of subsequent divisions of territory and temporary changes of system, have practically survived in the latest reformed issues. Their main features may be found in the general organic laws, considered in my history of the republic. In respect to state specialities, that of Sonora, the centre of the present Hispano-American group, affords a fair average representation, although stamped by greater democratic deference to popular will, as manifested in the election of most governing bodies. The legislative power is wielded by one chamber of deputies, chosen every two years in totality, meeting twice a year, and consisting of one member for every 10,000 inhabitants. The governor, chosen by similar popular vote, holds office, also, for two years, in the other states for four years, and is not eligible for consecutive reëlection. He possesses wide power in appointing subordinate officials, including the one secretary of state; the other general state officer, the treasurer, is selected with legislative intervention. Districts are ruled by prefects elected like the governor; municipalities with over 500 souls by ayuntamientos elected for one year, and consisting usually of from four to nine members; smaller settlements and ranches have police officers, elected for a similar term. In the other states municipal bodies are more restricted, and wholly or partly replaced by elected or appointed jefes. Municipal officers being unpaid, and in many grades unprofitable and thankless as well as onerous, candidates seek frequently to avoid election or subsequently to shirk their duties, to the detriment of local welfare. Direct election is as yet in its infancy, awaiting educational development throughout the republic. Meanwhile indirect voting prevails, with two or three grades. Finances, the main care and instrument of the government, have been fully considered in connection with the country in general, to which I refer in connection with the appended note, for comparison. The revenue of Chihuahua is derived from 7 per mille on real estate, valued at $7,000,000; 2 per cent on all business capital above $50; 1½ per cent on salaries, fees and personal property; 2 per cent on bullion and minerals extracted; 4 per cent on transfers and legacies; 37 cents per quintal on cotton, etc. From this is derived an income of $120,634, the expenditure being $119,253. The federal contribution of 25 per cent amounts to $45,472; revenue stamps yield $18,830.

Durango imposes 10 per cent on the revenue of city property and 6¼ per cent on that of rural estates below the value of $10,000; above this 6¼ per cent is added for every additional $10,000, $20,000, and $40,000; the tax on estates exceeding $100,000 in value being 37½ per cent on the yield. The real estate is valued at over $14,000,000. Twenty per cent on industrial products, 25 per cent on capital employed in other branches, and 5 per cent on salaries and fees. A few other taxes assist to swell the receipts to $159,717. The federal 25 per cent amounts to $45,475; stamps $12,799.

Sinaloa levies on real estate $9,500,000 in value, at the rate of 6 per mille for property worth over $500, and $3 to $1½ annually on values above $300 and $100, respectively; $25 to $300 monthly on industrial and mercantile establishments, 10 per cent on foreign goods, half the money derived from the sale of vacant land; also fees for professional titles, legacies, etc. This produces $184,976, with an estimated surplus of $2,000. The federal 25 per cent yields $56,325; stamps $19,305.

Sonora relies greatly on excise and on direct contributions, distributed in quotas among the districts and municipalities; 5 per cent on foreign nationalized goods, $10 to $250 on commercial houses, 1½ per cent on bullion, $200

for license to manufacture brandy, $5 for registration of mines, half the proceeds of vacant land sales, also from legacies, etc. The value of real estate exceeds $7,000,000. The revenue of $150,053, leaves a prospective surplus of nearly $30,000. The federal 25 per cent brings $28,644; stamps $11,366.

The finances of Lower California, as a territory, fall under care of the federal government, which derives $89,106 a year from it; the 25 per cent amounts to only $135, while stamps yield $8,246. Municipal, consumption, and mining taxes are levied. *Bust., Estadist. Mex.*, i. p. xi., *et seq.*

Besides the federal tribunals of different degrees, each state has its corresponding supreme court of usually three judges, and a final court of first instance for the districts and the local justices or *alcaldes*, the first elected for four years, and the other nearly always for two years and one year, respectively. New civil and penal codes have recently been adopted in consonance with the federal issue, and the jury system is gradually being established. But the lack of upright and efficient judges, so general in the republic, is even more marked in these less cultured frontier states. One cause is the frequent want of funds, with irregular and reduced salaries, which prevents also the employment of advisory assessors assigned by law. This adds to the incentive for crime, particularly robbery, which has become so prevalent in this country under the fostering auspices of race prejudices, and constant revolutionary disorders. It was hard for disbanded guerillas to return to honest labor, and so easy and alluring to continue as marauders, perhaps under the specious cover of avenging an injured church, or circumscribed liberty. The north, moreover, as a border country had grown more and more the resort of fugitives from justice, with smugglers in large numbers. Cattle-stealing and kidnapping for extorting ransom, were common features to be expected from a country long ravaged by Indians, and it is not astonishing that so wide-spread an ailment should have affected, also, many a judge and official, to whom had been confided means for aid and punishment, since these could be manipulated with great profit. With the exceptions mentioned, criminal statistics agree with those for the republic in general. Stringent steps were taken at different times to check lawlessness, latterly by an increased frontier guard, which, with the aid of railroads and telegraphs, and the decrease of Indian inroads, is doing good work. The effect of the gradual abolition of capital punishment has not yet been authoritatively reported upon, but it is evident that greater attention must be paid to enforcing upright administration of justice, and to providing more guardians of the peace and better prisons.

The absorption or merging of the aboriginal race into the new nation unfolding in Mexico has been fully considered in special chapters elsewhere. In the north its condition was affected by certain features, such as a lower aboriginal culture and stronger tribal combination. Distance from the centres of authority seemed to offer the domineering encumbrancers of early colonial days greater advantage for oppression, but the more independent and self-asserting character of the tribes, and the interposition of zealous missionaries, acted as a check until later humane laws drew their protecting circles. The privileges tendered by the new republic, in equality and citizenship, proved equally delusive to the race in all parts, and the subtle bond of peonage and debt-slavery growing numbers. The maintenance in the north of the mission system proved no longer of benefit, save in isolated instances, inasmuch as it tended to restrain development and intercourse. The latter was, moreover, confined by race prejudice, by galling assumption and strivings for advantages, which confirmed the natives in their long practised seclusion, as well as to tribal unity, which served them as a bulwark against ever ready aggression and encroachment.

Many of the tribes live, indeed, in a state of nominal subjection to the republic, governed by their own unwritten laws, and retaining, to a great extent both aboriginal language and customs. The latter no less than their mountainous homes, have helped to preserve a naturally hardy constitution from the indolence permeating all creole affinities. There is

also less of the stolid indifference so marked among southern savages, and the so commendable energy and perseverance is stamped by a vivacity that promotes their value as workers. In Sonora the Yaquis and Opatas are justly esteemed as the most desirable laborers in almost every branch of industry, and good pay draws thousands from their pueblos every season. If on returning home they bring many vices, they also foster advancement, and clear the way for a more harmonious feeling between the races. The common cause which occasionally brought them to the side of political parties, or arrayed them against the Apaches, also served to strengthen the national bond. The aboriginal communal system encouraged by the Spanish crown has been widely sustained, in many instances by republican decrees, although the tendency is growing to break it up as a dangerous tribal institution. While provisional partition is made of land for private cultivation, particularly at time of marriage, when a family is to be founded, a proportion is also set aside for communal crops with which to support churches, widows and orphans and schools, to pay taxes and other general requirements. The enforcement of labor to this end and order generally is entrusted to elected governors or alcaldes at the respective pueblos or villages, who again are subordinate to captains general. These officers were formerly appointed from among noble or influential families by the Spanish authorities, and often secured by pay or other rewards, but with the example set by republican schemers, ambitious and able men of lower grade have, through election, sprung into prominence, and direct the voice of the tribe both for personal benefit and for its advancement, by offering votes or arms to the most promising side. The curates now in charge of their spiritual welfare have much less influence than the missionaries, who, as a rule, exercised almost exclusive control over governors or alcaldes, as well as people. This decline is due mainly to the intrigue of liberal partisans, and partly to the less guarded conduct of the class of priests usually assigned to Indian villages.

The natives of Sinaloa, Durango, and Lower California form no united or powerful bodies, and may be regarded as merged in the general population. The Tepehuane nation, which at one time held Durango in terror with its revolts, has almost disappeared. In Chihuahua, however, the rancherías of Apaches and Comanches extend along the eastern border into Bolson de Mapimi, and the ranges to the west are occupied by the numerous Tarahumaras, ever gentle, though retiring, and rapidly disappearing. Sonora's population is still chiefly pure Indian, including the orderly, yet brave and resolute Opatas, who occupy the fertile centre and east of the state, and have as enlisted soldiers or as volunteers formed one of the most reliable of bulwarks against Apache inroads. They have yielded greatly to absorption, although not in so marked a degree as the wide-spread and docile Pimas to the north-west of them. The once feared robber horde of Seris, on and near Tiburon island, has been almost exterminated in just warfare, and the Papagos of the extreme north-west are as yet secure in their isolation. The only feared nations are the allied Yaquis and Mayos, who, occupying the fertile banks of the rivers named after them, are exposed to constant elbowing and intrusion from the crowding Mexicans on either side. The consequence has been a series of bloody wars until the present day, not always for pure defence, but for robbery, to which successes and impunity gave incentive. While mingling freely among the whites as esteemed workers, yet, the season over, they generally return home and repulse every effort at social intercourse. The process of absorption cannot be resisted, however, aided as it is by diseases of encroaching civilization, especially virulent among the aborigines.

The intermixture of races in colonial days, was much slower in the north, owing to the inferior culture of the Indians and the later entry of settlers. For a long time after the independence, creole families sought to resist the inevitable, but the rapid influx of mestizos, owing to pressure in the more crowded south, and the allurement of mineral wealth, tended to overcome

hesitation, partly by bridging the chasm. Nevertheless, the Spanish element remains strong, and the mixture has been little varied by the admission of negro blood. The intolerance and unmitigated unpublicness of the nation is less marked in the border states, settled, as they were, entirely by enterprising and energetic emigrants from Biscay, Navarre, and Catalonia. Their comparative isolation has tended to preserve a tincture of the superstition brought from the original mountain homes. On the other hand, they are widely praised for hospitality and as dashing riders, whose cavalry has earned deserved laurels in the wars. As may be supposed, the jacalo or petty farmer element of Mexico is widely represented here in small scattered ranches, with their airy, shed-like dwellings, their orchard patches for maize, beans, yams, and other succulents, shaded by occasional bananas or other palms, and near by the herds of live stock, that form the main reliance of the settler. The influence of Europe which made itself felt from the opening of the century throughout the central provinces, filtered here slowly into these remote regions, although aided on the coast by trading vessels, and later, by intercourse with the United States, by means of prairie caravans, and simple customs long prevailed in dress, entertainments, and mode of life generally, all of which present the same features as described elsewhere under Mexico. Perhaps the love of motion and excitement, on horseback, in ball-room, and at the gambling-table, is more pronounced, and naturally so with the narrow range of amusement offered on the frontier.

The growth of the United States border settlements, and the fast increasing communication, facilitated by railroads, cannot fail to greatly affect tone and habits. While the elements at present operating to this end are none of the best, yet the intercourse must in the main prove elevating, if only in fostering better industrial methods, and an increased demand for varied comforts of life, which in itself forms so desirable a stimulant. The value of foreign immigration has ever been recognized in Mexico, partly to obtain training for the people, partly to promote settlement on the north frontier, threatened by Indians as well as a suspected neighbor. A lack of judicious liberality, and above all the long reigning insecurity in the republic, counteracted the efforts to found colonies. Even those established in connection with the ephemeral military colonies did not flourish, and the few trans-oceanic groups introduced failed to show any vigor. The effort to draw from the United States the patriotic Mexicans transferred to a foreign flag by the treaty of Guadalupe succeeded very poorly. In fact the gold excitement in California, by revealing mineral and agricultural wealth, and protection from raids and mal-administration, served to draw away farmer people, and from the then border region which least could spare the loss. Lately schemes have been started for introducing Chinese and Mormons, although their arrival is sure to rouse hostility. Notwithstanding the restrictive measures of the government, not wholly unjustifiable in its suspicious fears, the force of circumstances is tending to a growing influx of Americans into the scantily settled and inviting border states; an influx favored by ready acclimatization, which has not attended sudden transitions from the differently situated Europe, and by the growing security.

The gradual suppression of Indian raids in the north, and the increased stability of government, promises decided increase in population, for the race is fecund and environment favorable. In the northern part of Chihuahua and Sonora ague prevails to some extent: on the west coast bilious fevers are common, and the inferior quality of water along the frontier conduces to several ailments, such as goitre, which afflicts the central districts of Sonora and Sinaloa. In other respects the health statistics compare well with other parts of the republic, with which the north shares such epidemics as cholera, small-pox, yellow fever, and famine, with attendant train of disorders. Cholera was particularly severe in 1849 and 1850-51. Small-pox attacks chiefly the aborigines, among whom vaccination and modern treatment are less in vogue, and the yellow fever, which has on a few occasions ravaged the coast as far inland as Hermosillo and Culiacan, is de-

clared to be not of the extreme type prevalent on the gulf of Mexico. The scarcity of doctors, apothecaries, and hospitals was a drawback which gave prominence to mummery and aboriginal arts, but during epidemics the authorities have ever shown a commendable zeal for covering the deficiency by erecting temporary shelter, and distributing drugs and directions, while private benevolence stepped forward to lend a helping hand.

Although the chief inroads of diseases have evidently been among the aborigines, upon whom also the mere approach of European culture exerts its withering influence, yet the decreasing estimates of their numbers is due mainly to absorption, either by blood mixture, or by assimilation in settling with the regular Mexicans and adopting their customs, and participating in all the privileges of citizens. This is especially the case in Sinaloa and Durango, and it is only in Sonora and Chihuahua that the voluntary isolation of certain tribes, or portions of tribes, subject them to classification as Indians, with partial exclusion from political and social rights. In Sonora this number is placed at about 22,000, mostly Yaquis and Mayos, who long maintained a hostile attitude by resisting encroachment on their lands and seclusion. In Chihuahua are nearly equal numbers of gentle Tarahumaras. No thorough census has been taken in the republic, so that the more or less detailed data for different states can be regarded as little better than estimated. The population may according to these be placed at 185,000 for Chihuahua, 195,000 for Durango, 142,000 for Sonora, 205,000 for Sinaloa, and 25,000 for Lower California; which shows an increase for the peninsula of about 150 per cent for the century, for Sinaloa 100 per cent, for Durango 80 per cent, and for Chihuahua 75 per cent, while Sonora has gained only one half as much as these last states. These proportions correspond to the relative security enjoyed by the states, Sonora having suffered longer and more severely from Indian ravages. Chihuahua comes next in the list of exposed regions as well as in population, and then Durango, while Sinaloa and Lower California have been almost entirely exempt. The effects of civil wars, frequent enough, cannot be regarded as nearly so depressing, for the bloodshed and ravage are not equal to the number of revolutionary movements. Yet the fast growth of the peninsula is no doubt attributable to the greater quiet enjoyed there, thanks to its secluded situation. Its estimated value of real estate per head of population is also much larger than in the northern states, where the average is placed at about $50, a figure which varies very nearly in proportion to the Indian or peon population of the different districts, whose poverty tends to lower the general rate. Wars do not appear to have caused any extra reduction among males; indeed, Durango, less exposed, exhibits the least preponderance on their side. On the other hand the size of families is not as a rule so large as might be expected, as indicated also by the slow growth of population for countries so scantily occupied. And there is room for expansion, since Sonora and Chihuahua possess only one inhabitant to one and a half square kilometre. Sinaloa and Durango have four and a half and two and a half more people to that space, while the peninsula has only one inhabitant to seven kilometres. I append data to support these observations and give opportunity for additional speculations.

In education the northern states stand somewhat behind the mean average for the republic, as may be expected from scanty settled frontiers. The wave of revival in learning struck the Spanish colonies at the close of the last century, only to be broken by the war of independence and succeeding disorders, yet hardly a ripple of it penetrated to this region. Wealthy people sent their sons to southern states or abroad, and their girls occasionally to some convent; a small proportion of other children received a meagre training at the rare schools to be found in a few leading towns or at the hands of missionaries, and the great mass remained steeped in ignorance, learning like the savages only to recite a few passages from the catechism. Although the Lancasterian system was introduced into Mexico shortly after the independence, yet it obtained no real footing in the north till after the energetic

measures undertaken by the general government in 1842. Private individuals now began to display a gratifying zeal in assisting the movement, and soon came the compulsory system to give beneficial impulse, as manifested in the increased school attendance from less than two per cent of population still prevailing in Culiacán, without compulsion, to between three and five per cent in the other four provinces.

In addition to scanty settlement, isolated tribes presented in Sonora and Culiacán an obstacle to rapid diminution of illiteracy. There was a drawback also in the separation of the sexes, due to climatic and social considerations. As a consequence, only a small proportion of the schools were mixed, and owing to the chronic lack of funds the establishments for girls were so few as to allow the attendance of merely one-fifth to one-half of the male number. In private institutions the sexes were nearly equal. Another disadvantage, now rapidly lessened, was the lack of teachers, partly due to small and irregular pay; but normal schools are receiving support, and women, so well fitted for teaching, are rapidly supplying the deficiency. A cause for the irregularity lies also in the fact that so large a proportion of the free public schools are sustained by private liberality, which often varies. The educational system was defective in several respects, such as the appeal by teachers to the ear, by memorizing, rather than to the perceptive faculties; and the ambitious range of the curriculum, even in schools known as primary, beyond the power of the pupil, so that he was left gloriously superficial. This imperfection was carried to even greater excess in the secondary or high schools and colleges, in which the course varied from a few elementary branches to the professional and philosophic range, but with startling gaps and irregularities in method, means, and teachers. Nevertheless, the secondaries have ever enjoyed greater attention, especially from the clergy, owing to their policy to restrict education to the wealthy classes, and to the national love for gloss. Although driven from control in these matters, the church strives to retain a certain hold, especially by offering in the secondaries a higher grade of instruction than is generally obtained in the secular colleges. The spread of journalism is an encouraging feature, and another the establishment of literary societies, which promote also the formation of libraries, museums, and art collections. Secular education is greatly supplanting the religious teaching to which so large a proportion of the people had been almost exclusively confined. This is a natural outcome of the long struggle against clerical supremacy, which has ended in the acquisition of intellectual freedom, and in assigning to the church its due subordinate position. The history of this struggle and the present condition of ecclesiastical affairs has been fully and specially considered elsewhere.

The report of the governor of Sinaloa, *Mem. Gov.*, 1881, 85-92, announces 221 primary schools, with an attendance of 7,662 pupils, the larger proportion being boys. The attendance in Mazatlan district is by far the largest, 2,926 pupils in 40 schools, while the 41 establishments of Culiacan had only 1,275 children. The report sent in to Cosalá in 1874 gave 281 primaries, with 9,272 pupils. There were 5 secondary and professional colleges, one being a private institution for girls, another a nautical and mercantile establishment, and a third the philosophic seminario under the clergy, with a total attendance of over 170. *Instruc. Pub.*, 138-43. The seminario at Culiacan is the only classic college for Sinaloa and Sonora. It dates since 1858, *Sesión de Sen.*, in *Pap. Var.*, clix., pt 13, although Bishop Hamet sought in the previous decade to establish a chair of philosophy. *Montenegro, Sem.*, 33-4. Its progress is depicted in *Gaxiola, Proceso*, 1-8; *Mex. Mem. Fom.*, 1844, doc. 71; *Velasco, Sin.*, 37-8. Concerning the later founding of the other colleges, see *Cubillas, Alocución*, 1-4; *Arch. Mex. Col. Leg.*, 61, 238-47; *Sin. Dept. Ed. Rules*, 1-14. In 1834 Mazatlan had two primary and two private schools, with 230 pupils. *Sin., Mem. Gen. Del.* 44., 355. In 1867 the attendance here had risen to 700 out of 2,700 children; only 2,500 persons could write, against 7,000 who could not. *Id.*, ap 2, iv., 21-3. See also *Cambas, Atlas*, 2; *Pinó, Mem. Gen.*, 15; *Durán, Comp.*, 51-2.

Sonora is striving to redeem herself under the compulsory system. She had, according to *Covarrubias, Instruc. Pub.*, 175–8, 128 primary schools, with 3,840 pupils, of whom 640 were girls, and 6 secondary colleges, with 425 pupils; 4 were private establishments. The public college for boys costs the state $12,000 a year. A normal school also exists. Riesgo, *Mem.*, 28–30, paints the condition in 1828 extremely black. *Semanario, Polit.*, ii., 394–5; not till the middle of the following decade were any effective steps taken to improve it, by establishing a secondary ecclesiastic college at Arizpe, and increasing the primaries. *Garza, Pastoral*, 7; *Pinart, Doc. Son.*, ii. 62, 65, 80. Ten years later the Lancasterian society began to push their system, and the normal school opened in 1847. In the 5 leading towns between Banamichi and Hermosillo the primary attendance was only 400. *Id.*, iii., 132–3, 321, iv., 40, 86. Only one of the schools was passable. *Monteverde, Mem.*, MS., 62, 111–13, 125; *Velasco, Son.*, 37–8, 64. In 1858 the civil institute opened at Álamos. The *Sonorense, Estrella Occid.*, and *Voz. Mej.* have items for these and following years, showing in 1863–4 four schools in Guaymas district, 19 in Álamos, 12 in Ures, etc. See also *Hernandez, Geog. Son.*, 59–60; *Mex. Scraps*, i., 295; *Lancasteriana Regl.*, 1–12.

For Durango, Covarrubias reports, under a non-compulsory system, 174 primaries, with an average attendance of 4,440, about three fourths boys; 4 secondary establishments, half of them under clerical care, two being for girls, with nearly 550 pupils. The institute for males and the seminario gave professional courses. There was no normal training-school. During the closing years of the colonial régime Bishop Costañiza gave a decided impulse to secondary education, and left a bequest for the seminario, but retrogression set in for about 40 years. *Iglesias, Rel.*, 319–20. This college had in 1827 over 170 pupils, and a fund of $359,000. There were then 34 primaries, *Dur., Mem. Ramos*, 1827, 6–7; but 4 years later *Dur., Mem. Gob.*, 1831, 7–9, reports only 54 pupils at the seminario, and 26 badly endowed primaries. In 1842 a Lancasterian society was established, *Bustamante, Mex.*, MS., xiv. 277; and shortly after 57 primaries, with 1,592 pupils, were announced. *Mex., Mem. Instic.*, 1844, No. 20. Escudero, *Dur.*, 45–9, has 62 schools, with 3,055 pupils, for 1848, and Ramirez, *Dur.*, 45–51, claimed 11 free schools, with 1,437 scholars, for the capital district in 1850. *Soc. Mex. Geog., Bol.*, v. 61–71. The seminario was soon after transferred to the state. *Mex. Legis.*, 1856, 129. In and after 1856 the literary institute was endowed. *Arch. Mex., Col. Ley.*, v. 658–9, partly with church property. *Mex. Codiga Reforma*, 345; *Mex., Col. Ley.*, 1863–7, iii. 147–8. In 1873 a school of arts was projected. *Diario Debates*, cong. 6, iv. 302; *Cambas, Atlas*, 17; article in *Dur., Alm.*, 1885, 69–73, is very faulty.

Chihuahua stands low on the list, with only 39 primaries and somewhat over 2,200 pupils, according to *Chih. Period. Ofic.*, Nov. 13, 1874, and *Covarrubias, Instruc. Pub.*, 25–8, an assumed decline from former years. The two secondaries are the instituto and seminario, with 250 students and superior pretensions.

Lower California has adopted the federal district regulations, although they are evidently not applicable to her condition. In 1882 there were 27 schools, with 1,174 pupils, out of an assumed school population of 8,000; of these La Paz had 7 schools, with an attendance of 490 out of 1,330 children; the two private schools claiming nearly half the number. The 20 national establishments receive $15,400 for their 700 children. Governor's report, in *Baja Cal., Bol. Ofic.*, Aug. 30, 1882. This shows an increase upon the statement in *Mex. Mem. Gob.*, 1878, 98, doc. 96, wherein two of the institutions at La Paz are classed as normal, and two as secondaries, the latter at La Paz and Miraflores, with 60 students. The centre district has four of the schools, and the frontier two. For 1872 Hernandez, *Geog., Baja Cal.*, 50-1, allows only 8 elementary schools, with 300 pupils, and although this seems unreliable, the compulsory system has undoubtedly given a great impulse. See, also, *Cambas, Atlas*, 29; *Tovar, Hist. Purl.*, iv. 771; *Hayes' Scraps, Baja Cal.*, ix. 63–4. Rules issued in 1873. *Baja Cal., Regl. Instruc.*, 1–10; *Diario Debates*, cong. 8, ii. 608, 722, 765–80, 916; *Baja Cal., Bol. Ofic.*, 1878.

CHAPTER XXXII.

RESOURCES AND COMMERCE

OBSTACLES TO PROGRESS OF AGRICULTURE—PRODUCTIONS AND CROPS—STOCK-RAISING—MINING—EFFECT OF INDIANS ON DEVELOPMENT—DISTRICTS IN DIFFERENT STATES—METALS, MINERALS, AND PRECIOUS STONES—PEARL FISHING—MANUFACTURES—COTTON MILLS—TRADE—IMPORTS AND EXPORTS—SMUGGLING—COAST TRADE—STEAMER LINES—ROADS AND CANALS—RAILWAYS.

The northwestern states being essentially mining territory, their agricultural capabilities have not been widely probed, partly owing to their comparative aridity. Water is the great want. Chihuahua and Durango form the top of a table which rises in gentle ascent from the gulf of Mexico to an altitude of 3,800 feet at El Paso, and thence lifts itself southward to the high plateau of Anahuac, while forming a more abrupt slope toward the Pacific. The eastern part of Chihuahua presents an almost deserted sand and alkali plain, with numerous dry depressions, known as Bolson de Mapini, extending into Coahuila, and for some distance into Durango. Similar land, although more broken by hills as well as shifting sand dunes, and relieved by occasional river bottoms, stretches from Rio Bravo westward to the mountains. Even south of the state capital the soil is patchy, and on the whole, inducements for tillage are small as compared with stock-raising, which ranks as the second leading occupation. Durango approaches in its general character to the southeastern portions of the neighbor state, and regular farming vies with stock-raising and mining as staple industries. As may be judged from the altitude, the climate is comparatively cool on this table-land; snow falls in Chihuahua to the depth of two feet, Rio Bravo is obstructed by ice, and vines at the somewhat warmer El Paso require protection. The summer temperature averages 85 degrees. West of the Sierra Madre the zones range from the cold of the mountains to the temperate of the foothills and the torrid of the coast line. In Sinaloa the hot belt is 40 miles in width, and extends for some distance into the tributary valleys, with a sandy soil that is productive only near the river courses. In Sonora sand plains of vast expanse cover nearly all the region north of Guaymas, with frequent dreaded simoons; but the east and northeast is a delightful, well-watered region, especially attractive to emigrants. The Yaqui valley is Egyptian in temperature, and in the Nile-like inundation of its fertile bottoms. With irrigation, practicable from rivers and wells, nature yields her treasures in such lavish abundance and variety as to mark Sonora as one of the richest spots on earth. Sinaloa has less adaptability, and arid Lower California possesses only small and scattered tracts available for plantations.

An obstacle to farming has been on one side the meddlesome interest by a beautiful soil, on the other, the illiberal land policy of the government, derived from Spanish times, and confusion involving titles. Until lately the control of vacant land was in dispute between the municipal, state, and general governments, and there was the insecurity spread by the frequent and sweeping annulling of grants, on the ground that they had been

made by rebellious or illegal authorities, or with undue observance of constantly changing regulations. In the north the mission lands, secularized in course of time, aided the fraudulent acquirements of estate, as did stock-raising leases and frontier troubles, whereby influential men were able to obtain possession of large tracts, to the check of development, and to the prejudice of the Indians and poor people, the true settlers, who were so frequently deprived of the small lots charity bestowed upon them. This tended, likewise, to prevent surveys so necessary for promoting settlement as well as knowledge of resources.

The missions checked colonization to a great extent, for a kind colonial government reserved the best lands for the neophytes and kept white men at a distance from them. In Lower Cal. no land was assigned in proprietorship to settlers till the latter part of the eighteenth century. For a history of land titles in the peninsula, see *Lassepes, Baja Cal.*, passim. The ownership of land, with the restrictions governing communal tracts of towns, missions, and Indians, has been considered elsewhere, notably in *Hist. Cal.*, vi., this series. Instance of rules concerning mission holdings, in *Son., Leyes Varias*, 33. One of the most startling shocks to titles was the decree by Juarez in 1862, annulling state concessions so far made, and requiring a revision by the federal authority. *Arch. Mex., Cal. Ley.*, v, 579–83, 659–61; *Buenrostro, Hist. Prim. y Secund. Cong.*, 338; *Bandini*, doc., 141, with allusions to previous steps of the kind. The tax on land sales is heavy, and to perfect titles is costly.

Large ranchos are not without their value, however, by promoting more perfect cultivation with improved machinery, by introducing new ideas and spreading better methods, and by bringing under tillage much land otherwise intractable. The value of example is recognized in the efforts of the government to promote immigration of farmers from abroad, a main object being, also, by this, as well as by new land laws, to encourage the growth of petty peasantry, as a part of a much needed middle class. Not that many of the large estates confer the benefits which seem alone to justify their extent; most of them are far behind what even a negligent American would endure. They drift with the current of improvident indolence, fostered by an indulging soil, yielding readily two crops a year with slight labor, and returning the seed a hundredfold. Much of the neglect is due to the employment for farm work of Indians, who are permitted to follow their more primitive methods and unambitious ideas. Tarahumaras live on maize and a little milk; a family possessing twenty head of cattle is regarded as well off. *Soc. Mex. Geog., Bol.*, ii. 45; *Tarayre, Explor.*, 269–71. Yaquis and Mayos raise so little produce as to frequently suffer, despite the fertility of their soil. They subsist greatly on fish and wild fruit. *Velasco, Son.*, 71–9. They plant seed without plowing. *Soc. Mex. Geog., Bol.*, ép. 2, ii. 299–10. Their wages as laborers between 1834–59 ranged from $4 to $6 monthly, with rations. *Stone, in Pap. Var.*, cxii.

Here, as elsewhere in the republic, maize forms the staple product, Durango leading with over a hundred million kilograms, Chihuahua and Sinaloa following close behind, and Sonora showing somewhat over sixty millions. Wheat is comparatively little raised in proportion, on the coast, although that of Sonora ranks high in quality; in Durango it rises to one tenth of the maize figure, and in Chihuahua to fully 40 per cent. Barley is in small demand, but frizoles, which constitute the national bean dish, hold the average proportion in kilograms to the maize crop, of about one twenty-sixth, and the accompanying chile condiment, which replaces meat to a great extent, figures at the usual one per cent. Rice culture is creeping into favor, Sonora and Sinaloa producing each about 600,000 kilograms, and Durango somewhat over half that amount. Nearly all of the preceding primary articles may be regarded as intended solely for home consumption, and the hopes of enterprising men and prospective colonists are turned rather to semi-tropic products, such as cotton, sugar, and figs. Cotton appears to have been known to some of the northern tribes before the conquest, by introduction

from central Mexico, and the culture flourished during colonial times to some extent. Hardy found it a leading industry on the Nazas in 1827. *Trav.*, 485-6. It was introduced at Hermosillo in 1811, but failed. In 1842 the culture was resumed, supplying Ingo's mill in part, and efforts were made to extend the cultivation on Rios Yaqui and Mayo. In 1843-4 it nearly failed at both places, through frost and disorders. *Mex. Mem. Agric.*, 1845, 1845, p. 12; *Velasco, Son.*, 61-3. Chihuahua in 1879 produced 566,000 kilogs., and Sinaloa 1,500,000, while Durango yielded 2,928,000. See also *Arch. Comis. Sonora*, i. 146-51; *Hall's Sonora*, MS., 77-8; *Mex. Scraps*, i. 147-8; *Pap. Var.*, xi. 15 et seq. Worms have proved a serious annoyance in Sinaloa. Later it received a decided impulse, and while Durango, in 1886, led with about three million kilograms, the sister states are striving to rival her. In this connection dyes were beginning to obtain attention, when mineral substances came to discourage the effort, as they have done in the southern indigo and cochineal centres.

Another prominent article, sugar cane, is steadily increasing in favor among planters, Sinaloa producing over three million kilograms, and Sonora following close behind. Much of this is converted into brandy, partly as a rival of mescal, which also finds its producers. Viniculture flourishes in the central part of Sonora, and Chihuahua has achieved a reputation for its wines. Olives, figs, oranges and kindred fruit are gaining attention, and also coffee and silk. Olive groves existed early in San Bartolomé valley of Chihuahua and in the peninsula, planted by the missionaries. Exemptions were granted in the third decade of this century to planters of coffee and cacao. *Pimtel, Doc. Son.*, ii. 19-20. The ranges contain many medicinal plants and valuable forests, chiefly of cedar and oak. The value of trees is becoming more impressed upon the government, and efforts are being made to reclaim some of the arid lands to the north west by planting groves. Escudero, *Chih.* 90-1, *Smoort*, describes the trees to be found in the states. In the estimate of products from the soil Chihuahua leads with $4,284,561, followed by Durango with $3,873,526, Sinaloa $3,003,415, Sonora $1,886,030, Lower California $163,778, lowest of all Mexican territories; while Chihuahua stands twelfth in the list, which is headed by Jalisco with $20,862,066; Vera Cruz and Guanajuato coming next with $13,000,000; then Puebla, Mexico, Michoacan, and Oajaca. *Busto, Estadist.*

So far stock-raising has sustained the preëminence apparently assigned to it by the northern soil and sanctioned by national indolence. Bell, *New Tracts*, 385-7, discourses on the natural advantages, and Bartlett, *Narr.*, ii. 439, relates that a settler near Casas Grandes river, in 1785, obtained by 1829 a herd of 40,000 out of four cows and one bull. Previous to the Indian outbreak of 1832 there was nothing to disturb the peaceful growth of herds and flocks to the very frontier, until missions and private individuals counted their possessions by the thousands. A mission on the Yaqui had over 40,000 sheep and goats. *Pap. Var.*, cxii. At Turnacacori 4,000 cattle were sold in 1821 at $3 per head. *Pimtel, Doc. Son.*, i. no. 71. The ranches round Babispe had 60,000 or 80,000 head. *Velasco, Son.*, 103-4, 121. Uniformity of color was much affected, and one partido sent 800 white bulls to Mexico. *Monterde, Hepos.* 28: and Durango sent 1,000 white horses from one estate. *Kendall's Santa Fe Exped.*, ii. 111. In *Andalgalá*, 142-4, allusion is made to famed bullocks and to their breeding with cattle. Nacori found here 900 horses insufficient for complete branding. *Il.*, in *Pap. Var.*, cxl. In 1827 at the hacienda de Ensenillas of Chihuahua 17,000 sheep lambed. *Hardy's Trav.*, 475. Conde estimates the stock of the state in 1833 at 255,884 head of cattle, 350,000 head of small stock, 128,371 horses, and 35,727 mules and asses. See *Mex. Geog., Bol.*, v. 285, 324. Durango district claimed upward of 200,000 mares and kine previous to the great revolt of 1616. *Hist. Mex. Tr.*, MS., 6; *Doc. Mex.*, ser. iii. 12; *Mota, Padilla*, 318. Velasco, *Son.*, 73, is full of praise for the 'sabrosísimos carneros.' In 1826 Ward, *Mex.*, ii. 503, ascribed 200,000 sheep and 40,000 horses and mules to the Tacna hacienda, 80,000 sheep to Ramos, and 40,000 cattle to Guatimape. The

sparsely settled peninsula counted in 1800, 7,900 cattle, 4,600 horses, mules, and asses, and 17,000 small stock. *Arrillaya, Estad.*, in *Bandini, Doc. Cal.*, 3. But after a time they melted away in all exposed districts, under constant raids into Sonora, Chihuahua, and Durango, and even adjacent regions suffered from the ever pending danger and discouragement. This evil being now happily reduced, the industry is recovering and promises to assume vaster proportions than ever. Indeed, rapid settling of the adjoining border country and the rapid increase of communication, fostered especially by railroads, are giving a great impetus to the frontier states, and offering inducements to agriculturists by opening markets in more than one direction, and for a wide range of articles. Intercourse with Americans will serve to rouse a bright and attractive population, which has partly by lack of opportunity sunk into non-progressive apathy and improvidence, content with bare sustenance for the day. Rich rancheros lived in bare and dilapitated houses, although dressing in semi-barbaric glitter, and their retainers have been content with mere sheds. See admissions in *Dicc. Univ.*, viii. 339. Indians especially lack enterprise. *Soc. Mex. Geog., Bol.*, ii. 45.

Gold, the chief incentive for the conquest of Mexico, continued to attract the Spanish adventurers, especially toward the north. Intent upon this, it took some years before the discovery of the deposits in Zacatecas, in 1546–8, changed the current of their ideas by the recognition that New Spain was essentially a silver country. Then the fever started anew, and onward passed the rush, first along the eastern slopes of the Sierra Madre. In 1852 Durango was entered, although the rumored silver mountain here proved to be iron, and was left to the appreciation of a later generation. One precious deposit after another unfolded before the advancing explorers, who reached Chihuahua a decade later and thence continued their successful quest into the Occidente provinces. Here gold cropped out in such a way as to encourage the poorer prospector, and to cast an interest over the region beyond, from which they were debarred by aridity and savages. The Sierra Madre became more clearly marked as the source of wealth, and in course of time the western slopes proved to contain the richest mines located at from 3,000 to 8,000 feet above the sea. The distribution is uneven, in pockets, bunches, flat-veins, and chimneys, depressions formed by ravines, scattered among immense bodies of low-grade ores, usually in one principal vein, with perhaps smaller parallel branches, which class really forms the most valuable part of the deposits, so far but little touched. They are usually found in primitive and transition rocks, as slate and graywacke, and especially porphyry and alpine limestone, the latter containing most of the early and rich mines. The main low-grade ore is below 60 ounces to the ton, and consists for the first 300 feet of decomposed *colorados*, thence below the 'water line,' or other disturbing element, they run into sulphides, the *negros*, both treated by amalgamation; then follow the harder *liga* and pyrites, subjected to smelting.

While rich in promise, with many a glowing record, yet the frontier region stands secondary to the north-central crescent of the republic, which passes through San Luis Potosí, Guanajuato, and Zacatecas. Owing to distance from ports and other available supply stations, and increased dangers, exploitation was conducted with even less thoroughness than usual in Mexico. The proscription of Spaniards added to the adverse influence of the republican strife; many mines were abandoned for lack of capital and enterprising men after the rich pockets had been exhausted, and others fell into the hands of gambusinos, or straggling workers, whose shiftless methods, aiming chiefly at immediate and easy returns, caused the ruin of well preserved mines. The protective measures of colonial days received little attention, partly from the overthrow of Spanish regulations and authorities in such matters. The destruction of walls and pillars used to be severely punished, and reasons for abandonment had to be given, together with plans for the workings. For complaints and suggestions, see *Doc. Mex.*, ser. 3, iv. 658–60; *Pinart, Coll.*, nos. 669–76; *N. Mex. Cedulas*, MS., 265–8. Hardy, *Trav.*,

427-34, speaks of placers worked by the rudest of tools, mere sticks; and Cambier, *Voy.*, 213-14, describes the manner of crushing quartz, with boulders drawn by animals, and the amalgamation process. Details are otherwise given in the mining chapters of *Hist. Mex.*, iii.-vi., this series. Surreptitious working of closed mines by gambusinos also had ruinous effects in cavings, etc. In rich mines the stealings by operatives were enormous. As Hall instances, *Son.*, MS., 50, 91, 190-1. The hostility of the Apaches obliged the evacuation of entire districts even far from the frontier, especially in Sonora. Among the remedies presented to revive the flagging industry was exemption from taxes. Foreigners began to pour in after the independence, and although at first meeting with poor success from lack of prudence and experience, superior machinery and scientific methods prevailed, until a large number of rich deposits fell into their hands. They developed comparatively few new mines, preferring to reopen the many abandoned mines, which as a rule have been worked only near the surface and in patches. With their effective machinery and expedients, the lack or excess of water, transportation, and other early obstacles are readily overcome, and the masses of ignored low-grade ore, and even tailings, yield fortunes. The result has been a gratifying emulation among Mexicans, participated in also by poor men, who receive advances from capitalists, the latter stipulating for the purchase of their ore at, say, 16 per cent below mint rates, which again were some 20 per cent below real value, according to Froebel, *Cent. Am.*, ii. 257-8. Formerly bancos de plata afforded similar aid to miners generally. *Lozaga*, 15-19. A stimulant exists also in a law which permits a speculator to take the working of a mine from incompetent men by paying them a rent equivalent to their average extraction. *Froebel*, ii. 231-2. For mining laws, supervising boards, mining college, etc., I refer to *Hist. Mex.*, iii.-vi., this series.

The development of the frontier region under colonial régime, since the discovery of Santa Barbara lodes in about 1563, has been noticed in the preceding volume, and it is here necessary only to introduce its most striking features in connection with a general account of each state.

No very reliable data can be obtained for the total periodic or relative production of the different sections, owing to the secrecy observed by owners, especially foreigners, for obvious reasons, and to the neglect of officials to collect information. This applies especially to the distant frontier, with its many facilities for escaping supervision. The statistics of mints, of which Sonora possesses two and the other three states one each, afford the most acceptable figures, and according to these, for the fiscal year ending June 1879, Sonora headed the four states concerned with a total of 32,917 kilograms worth $1,287,352; Durango follows with 28,535 kilograms worth $1,115,964, then Chihuahua with 27,926 kilograms worth $1,092,157; and last, Sinaloa with 11,705 kilograms worth $457,771. The process of reduction in three of the states is divided between amalgamation and smelting, the latter preponderating, while in Sonora lixiviation predominates. The four states stand credited also with a gold yield of $24,867, $20,352, $44,443, and $12,256, respectively, which places Chihuahua first here, but fourth in the order of the Mexican states generally. In silver production Sonora, as the first, stands sixth in the republic, with little more than one-fourth the yield of Zacatecas; the sister states follow, while Mexico and and Michoacan succeed Sinaloa. The geologic formation of Chihuahua is cretaceous fossiliferous limestone, resting on primary strata, which presents three classes of mines: in transition porphyry, with feldspath base and quartz matrix, as at Parral, Jesus Maria, Guadalupe y Calvo, and Cuisihuiriachic; in alpine limestone, with large formations of lead ores, as at Santa Eulalia and Uruque; and those with native silver beneath a sulphide belt, covered by chlorides, bromides, and embolite, as at Batopilas, Morelos, Cueros, and Tubores. The state has revealed fully 100 distinct minerales or districts, all with silver, sometimes in immense lumps, while gold has been successfully sought in several, even recently in placers. One at Chorreas,

45 leagues N. E. of Chihuahua, yielded half a million between 1867–70; another at Guadalupe in 1869 gave $20,000 monthly. *Soc. Mex. Geog., Bol.*, ép. 2, ii., 719–20. Later discoveries noticed in *Mex. Diar. Ofic.*, Jan. 23, 1871; *Monitor*, and others. Gold is found in ten of the cantones.

The first mines discovered in the state lie in the same canton as Parral, which is famed for the regular yield of its easily reduced though low-grade ore. It still holds the second rank, and exhibits about 400 locations, from which $60,000,000 are said to have been obtained. The vein is among the widest, and so far not worked below 300 feet. The leading mines are the Veta Grande, 34 metres wide, yielding 4–8 marcos per 12 arrobas, and the Jesus María, whose ore sells at $35 to $60 per ton. The district was discovered in 1600 by a fugitive miner, and rose rapidly, being the seat of the territorial deputation till the transfer to Chihuahua in the 18th century. *Ramirez, Riqueza Min.*, 389–90; *Escudero, Chih.*, 137–42; *Alegre*, ii., 190. So far five-sixths of the ore is treated by amalgamation. This district was eclipsed by the development in 1703 of the Santa Eulalia, which gave importance to Chihuahua city. The ore here occurs in enormous irregular bodies, some large enough to hold a cathedral, and with an average yield of 6 or 8 ounces per carga, up to 32 ounces. The total out-turn so far is estimated at fully $120,000,000, according to the figures of Ramirez, supported by Conde and Wizlizenus, *Tour.*, 57; yet Dahlgren gives the production by 1844 alone at over $360,000,000, or $2,646,000 a year since 1704, the average value of the ore being placed at from $26 to $103 per ton. The lack of water has offset the ease with which the ore can be treated. The richest mines were El Caballo, San Matías, La Virja, Dolores, and San José. The discovery was made by fugitive malefactors, whose camp-fire revealed the outcropping, when they sued successfully for pardon. Such is a popular version. Arlegin, *Chron.*, 99, ascribes the discovery to the Franciscans, to whom the Juliemes disclosed the deposit. From a tax of one real per marco on the yield of one bonanza alone, as Ward puts it, the cathedral of Chihuahua was built, besides another structure, etc. Froebel, *Cent. Am.*, 359, estimates the bonanza at 14,500,000 marcos. According to the *Informe Disput. Territ.* of 1825 the district had '63 haciendas grounds, 188 hornos de fundicion (smelting furnaces), 112 cendradas,' and a mass of amalgamation works. Mota Padilla, *Hist.*, 316, *Soc. Mex. Geog., Bol.*, v., 281, et seq.; *Pap. Var.*, cxli. pt 5, refer to early condition. It declined with the opening of the century, and in 1825 came an appeal for aid. *Santa Eulalia, Mines*, 5–11; *Observ. Rep. Mex.*, iii., 174–80. Of late it has shared in the revival produced by foreign enterprise. The richest ore, however, has been that of San Pedro Batopilas, remarkable for the calc-spar matrix veins carrying native silver which yielded as much as $20,000 per ton, with a total production of, say, $100,000,000. Ramirez puts it at only $60,000,000, but he belies himself, while some accounts raise it to $300,000,000. 'Las mas ricas que se han labrado en el Regno,' says Gamboa in his *Comentarios*. The belt is 4 miles by ¾, and extends along the western slope of the Sierra Madre. The veins are narrow and hard, and but little exploitation is required. The richest mines were Pastreña, the deepest somewhat over 120 metres, which is supposed to have yielded $48,000,000 between 1730–50; San Antonio, $10–16,000,000; Cármen, $25–30,000,000; Los Tajos, $20,000,000. Since the independence Ramirez allows only $6,000,000, but the revival experienced since 1849, and especially of late by Americans, indicates more. Of the 1,400 or more mines, 72 have been noted for their yield. *Riqueza Min.*, 386–7. Most of the mining records of the state allude more or less to the district. Next in order to these three leading and representative districts follows Jesus María, the proper opening of which in 1821 gave a perceptible impulse generally to mining affairs in the state. The yield of its principal mine was $35,000,000. Cuishuiriachic has probably equalled the preceding district in production. Morelos is a new district of high rank, but less known than Guadalupe y Calvo, which opened only in 1835 has nevertheless approached some of the heaviest totals in its yield, largely gold. The old region of Urique contains

rich ore, readily repaying working. The districts of Cruzcito, Corralitos, Zapari, Tepoca, Cruces, and others, seat in activity, either previously abandoned, or waiting for several of the revived to show the capital and skill to work with success and more thorough exploitation, and fit their resources. Cosio, *Edicto*, ii., 87 89, 1789, represents only 21 mines as in operation in the 12 active districts, with a yield for the year 1778 79 of 183,818 marcos silver and 7 marcos gold, according to mint coinage; yet he admits the unsatisfactory nature of the reports. Alder and one large interest in Batopilas, Pinos Altos, and Guadalupe, the latter bought from Englishmen, who still hold claims at Pinos Altos.

Sonora is generally regarded as among the richest of Mexican states, yet usually neglected, owing to lack of water, capital, and security, and to its irregular geologic formation that has led to many disappointments, especially to foreign firms. Poorer men, adapting themselves to changing circumstances, succeed better. They have been favored also by the sudden appearance of gold here preached, a fatality in the many placers of the northern parts, discovered at different times and places in course of the last hundred years, and sustained in interest by such remarkable yields as that of the early Cieneguilla, estimated as high as $100,000, and by the mystery shrouding the arid border region and the forbidden haunts of the Apaches, guarded by gold and silver bullets. The export of rich finds in Arizona in 1769, with silver lumps of 20, and even 150, arrobas in weight, *Ayuntamiento*, lib. ii., cap. v. 282 7. Some of the lumps were presented to the king, who declared the mines crown property, and so stopped further search. *Velasco, Sonora*, 130 2. One mass weighed 3,500 pounds. *Stone*, 25 6, in *Pop. Sci. Mo.*, xxii. The subsequent silver placer of this name was in 1855 declared government property. *Velasco, Lapas*, 321 2. Big lumps were again reported. *Cosmos Exp.*, May 20, 1855. The San Ildefonso de la Cieneguilla placers were discovered about 1739 during a pursuit of marauding Seris, and revealed pure grains and nuggets, some from 1 to 27 marcos in weight, much upon the surface. At San Francisco, near by, opened in 1803, pieces of 28 marcos were found. They continued to be worked for several decades in the present century, yielding $15,000,000 annually for many years. *Velasco, Sonora*, 194 203. Ibidem, ii. 258 makes an account which estimates the total yield at over $100,000,000. *Ibidem*, iv. 575; *Arce, Diario*, of 1776, 228 9. *Pinart, Doc. Ms.*, i., no. 49, reports the condition in 1803 as poor, yet *Mex. Mem.*, 1849, xiii. 71 2, speaks of opulent prospects. In 1827 the Quitovac placers were declared, with nuggets up to 20 marcos, but lost interest. *Soc. Mex. Geog.*, 1st, xi. 63 5.

Twenty-one placers have so far been recognised, one being of silver. Gold exists in all the mining districts of which only a few are now classed as silver. Reports from the seven leading groups show that 75 firms, with a capital of $10,000,000, are operating somewhat over 200 mines and three dozen reduction works, yielding fully $1,000,000 annually. In the Ignacio Alamos district are numerous deposits of ore at from 20 to 30 ounces, while the higher grade yields from $100 to $700 per ton. Elsewhere, as at Baluarte, two mines alone are said to have yielded over $30,000,000 within a few years, so that the prospects are most encouraging. According to Romero, *Reporte de 1864*, Alamos district has 16 pumping firms, with a capital of $1,750,000, operating 13 mines, of which 7 are yielding an average of $345,000 a year from as many reduction works, with 720 workmen. Moctezuma, 8 firms, capital $307,500, 17 mines and 1 work, yielding $92,700, 142 men. Sahuaripa, 25 firms, capital $4,250,000, 34 mines, of which only 4 yield $254,000, 8 works, and 134 men. Guaymas, 14 firms, $108,500 capital, 33 mines, including copper, of which one only yields $4,000, 174 men. Arispe, 7 firms, $1,807,000 capital, 12 mines, including copper, yielding $300,000, 5 works, and 440 men. Magdalena, 7 firms, $415,000 capital, 19 mines, of which only one yields $16,000, 5 works, and 225 men. Altar, 17 firms, $1,547,000 capital, 45 mines, including antimony, whereof 7 yield $192,500, 2 works, and 165 men. Busto accounts for 1879 only 11 works of any impor-

tance, in 16 active districts out of 34. Dahlgren raises the production of the famous Alamos group to $500,000. The rich deposits occur in big bunches, sometimes 50 feet wide, the first class, of copper glance with silver sulphide, yielding 25 to 50 per cent copper and $250 to $500 silver per ton; the second class is smelting ore, the third class brings 50 ounces with milling, and the fourth class, with immense reserves, 20 to 25 ounces. The Quintera mine is 800 feet deep. In 1870 the active mines were estimated at 144, and the abondoned at 583. Twenty years earlier the yield of the leading districts was placed between 100,000 and 120,000 marcos of silver. *Monteverde*, in *Dicc. Univ.*, iii. 413 et seq.

In Sinaloa the lodes consist greatly of quartz matrix marked by oxide of iron, and holding minute particles and threads of gold. The principal deposits, the argentine, which reveals also native silver, is here largely connected with lead, and to some extent with copper. The average yield is estimated at one marco per carga of 12 arrobas, or an annual production of 11,705 kilograms of silver. The mineral wealth is widely distributed, and each of the nine political divisions contains a number of mining districts, of which Cosala is the largest, and Rosario among the richest. The mines are placed at more than 400, including copper, with over 50 reduction works and 39 steam engines. Ramirez estimated the circulating capital at $2,560,000 and the men employed at 5,300. García Cubas assumes 445 mines at an earlier period.

The most important mine in Cosala district, Guadalupe de los Reyes, has since 1800 produced $85,000,000, it is said, the ore still averaging $100 per ton. The second best mine is El Tajo of Rosario, with even better average ore at present, and in bonanza. It supports a population of 6,000, according to Hamilton. *Border States*, 118. Dahlgren places its production at $12,000,000, while according $90,000,000 to Rosario. The district was discovered in 1655 by a peasant, who here broke his rosary, whence the name. The adjoining Plomosas district has ore valued at 12 ounces per carga. The ore of Jocuistila, in San Ignacio, is very rebellious, yet the yield is placed at $50–60,000 per month. Americans are largely interested in different districts, and although meeting with obstacles, are paving their way with enterprising zeal, as Vega, *Doc.*, i. 260–4, has already pointed out. The revival of Cosala is due to them. Gold placers are found even to-day, notably in the rugged Fuerte region.

Among the principal of the 35 mining districts in Durango is San Dimas, to which a production of over $100,000,000 is attributed. The Candelaria mine, which early in this century yielded $250,000 per month, still averages from $70 to $140 to the ton from argentite, stephanite ore, with galena and iron and copper pyrites and native gold. The Bolaños mine, at the rear of the mountain, produces an average of $140 to the ton. Coneto has remarkably rich ore in veins of three feet, with much tin. The rebellious ores of Indé and Guanacroi average from $125 to $300 per ton. Del Oro has been remarkable for its gold placers, and yielded at one period $1,000,000 annually. Not far eastward of Indé are the shallow deposits of Los Fresnos, and the net-like veins of Yerba Buena. The district of Gabilanes produced $300,000 annually during the early part of the century. Cuencamé abounds in low-grade ore. South of Durango are eight groups marked by chlorides and bromides, which cover argentiferous galena. Mapimí, Norias, Pánuco, and San Lúcas figure as noteworthy districts. In 1831 the yield for the state was reported at 78,693 marcos. Escudero enumerates 80 mines in 1848. Americans are gaining a decided footing.

In Lower California the mining wealth is small in comparison with the sister regions, yet each of its eight municipalities contains one or more gold and silver mines, the former metal assuming greater proportion in the north, where even now such placers as Japa, San Rafael, and Calamahí, are attracting attention. The richest district is in the south, the San Antonia, with over 40 silver and a score of gold mines, including three placers. Next come Santiago and La Paz, with 11 and 10 mines, respectively, of which six are gold. The first named includes the Triunfo mines, the foremost in the territory.

The average yield is from 3 to 12 ounces of silver per carga, with gold admixture. The Vírgenes and Cocachilas deposits are richer in quality, but with narrower veins, yielding from 8½ marcos per carga, downward. The formation is granitic. There are three principal veins, while the other reveals six, with many intermediate streaks. The districts of Mulege and Comondú have each two gold and three silver mines, Todos Santos and Santo Tomás one gold mine apiece, and San José one silver mine. Ramirez speaks promisingly of San José island, of the region between Valle Perdido and Cerralvo island, Cerro del Gigante near Loreto, and from Cármen island to Espíritu Santo. The first silver mine was opened about 1750, and worked for government account, *Cal. Prov. Rec.*, i. 151–2, at Santa Ana, and from it 1408 marcos were shipped in 1770. Heavy taxes and bubble schemes have counteracted the revival promised by the large influx of American miners. Leading authorities on gold and silver mining in the north are the reports in *Mex. Mem. Fom.*, 1884 and earlier dates; *Id., Hac.*, id.; *Busto, Estadist.*, ii–iii.; *U. S. Com. Rel.*, for different years; the special mining histories of Dahlgren, *Historic Mines of Mexico*, and *Ramirez, Riqueza Mineral de México*, both incomplete in range and detail, and imperfect in method and data, yet of undeniable value. A mass of information is also presented in *Pinart, Cal., Id., Doc. Son., Mex. Scraps.*, i–ii. *Tarayre, Explor. Min., Soc. Mex. Geog.*, v–vi., viii–xi., ép. 2, i., iii.; *Pap. Var.*, different numbers; *Escudero, Chih.; Id., Dur.; Id., Son. y Sin.; Velasco, Son., Hardy's Trav.; Ward's Mex.*, i., ii.; *Humboldt, Essai Pol.* The main object of Jacob P. Leese, *Historical Outline of Lower California*, New York, 1865. 8vo., pp. 46, was to lay before the world the organization of the Mexican Mining and Colonization Co. of New York, under grants to the author and his associates by the Mexican government of 46,800 square miles of land between 24° 20″ and 31° for colonization and industrial purposes. A few pages are devoted to the early history of Lower California, and a brief account of the missions. The rest of the publication is taken up with a description of the mineral resources of that country, of the pearl fisheries, and of the capabilities of Lower California generally.

The frontier states are rich also in baser metals and minerals. Copper abounds in nearly all of them, and has been worked in different places, but with little application, as in Sonora, in Chihuahua, with her famed Copper Mountain, and in Lower California, where a number of mines are worked.

Iron has been found in several places in Sonora and Chihuahua, and close to Durango city lies that curious deposit known as the Cerro del Mercado, after its discoverer. This reported silver mountain, which first attracted the Spaniards to this region, proved to be a mass of iron a mile in length by nearly half a mile in width, and 686 feet high, calculated to contain 460,000,000 tons, the specific weight being 4.658, and assaying from 70 to 75 per cent. of pure iron. Attempts to work it, since 1828, have only of late begun to give promising results.

Lead exists in most of the states, and that from a mine in the center of the Santa Eulalia silver district of Chihuahua is used to assist the smelting process.

Tin has been noticed in Sonora, and Durango contains several immense fields, worked to some extent in the preceding century, and lately promising to revive.

Nickel has been discovered at San Rafael, Lower California, and antimony in Sonora.

Quicksilver has long been sought for to promote the reduction of precious metals, and indications have been found, but not sufficiently satisfactory. In Lower California are three; in Sonora two, from one of which a number of flasks were obtained. *Los Union*, Dec. 16, 1860; *Dos. Repub.* July 6, 1878. Chihuahua has it in two cantons and Durango in boneto, where it extends for two leagues, assaying 60–70 per cent., the result of special exploration urged in 1844. *Mex. Espos. Tom..*, 1845, 53–4; *Pap. Var.* xi., pt. iv., 53–4. This is perhaps the most promising deposit. Later the search for coal

excited most interest, in connection with railroad building. The value of the indications along the Rio Grande is not yet certain. That at Topia in Durando is satisfactory; and equal assurance is made for a deposit 75 miles east of Mazatlan, but they are not likely to be worked for a long time. In Sonora, however, there are some fine fields, especially in Surramas on Rio Yaquin, not far from Ures. It is said to be 36 square kilom. in superficies. Cost of transportation is the chief obstacle. *Ramerez*, 192, 577; *Hamilton's Border States*, 98–101; *Mex. Scraps.*, i., 281, ii., 18. Baruche, Brouces, and San Marcial contain large fields. Chihuahua claims deposits for four cantons, and the peniusula has one at least.

Graphite has been found in Lower California, at San Javier, and from San Marcial, in Sonora shipments have been made to Germany and New York without obtaining remunerative results. The peninsula has also indications of asphaltum, oil and petroleum, the latter likewise in Durango, at Sierra de Gamon. Sulphur exists in both regions: in Durango at Mepimi, whence shipments were made to the mint at Mexico in early days, and in Lower California at the Virgenes volcano, which has of late years been worked.

Saltpeter has been found in Sonora and Lower California. Salt abounds in the coast regions, and in Chihuahua deposits have been worked at Santa Eduvige. Sinaloa claims nine fields and Sonora several, from which even the colonial treasury received revenue. Those of the peninsula are more important, however, notably Cármen island, off Loreto, and at San Quentin, from which a number of cargoes are shipped annually, from Cármen during colonial times. *Cal. Prov. St. Pap.*, *Ben. Mil.*, xvi. 3., xviii. 4. By 1856–7 the export had risen to over 1,100 tons, on which the government exacted $4 per ton. *Assepos Baja Cal.*, 58-60, Guillemin reduces the export, and adds that a field at San Gonzalo point was opening. *Arch. de Comis. Scien.*, ii. 417. San Quentin has since early days proved more remunerative than the boasted copper mines near by. In 1855–56 the yield was $8,085 and $4,633. For other fields see *Taylor's L. Cal.*, 110, 123–31; *Hayes' Doc. L. Cal.*, 63–5; *Ramirez*, 291–3, 575, 580–1.

There are also deposits of guano, alum, gypsum, lime, marble and even precious stones, such as the ruby, beryl, topaz, garnet, the latter, however, insufficient to prove an allurement.

Pearls exist, however, and have until late years been the chief attraction of Lower California. Although discovered in the days of Cutic it was not until the opening of the 17th century that they became an object of special search. The private expeditions found record through the fame of their success. Soon after the missionaries entered, and regarding the promiscuous contact with adventurers demoralizing to the Indians they secured restriction, under which fishing could be followed only by licensed parties.

Among the most fortunate of early adventurers are mentioned Castillo, of Chiametla, Ortego, and Carbonel. The first systematic workers of the beds were Cordova and Iturbe, 1615. *Clavigero Storia Cal.*, i., 161; *Pacheco, Cal. Doc.*, ix., 21–2, 33–4; *Venegas, Not.*, x., 204–5. Subsequently a soldier named Osio created great stir by his success. In 1743 he obtained 127 pounds of pearls, and in the following year 275, chiefly above Mulege. It is said that he filled cellars with oysters cast up by the waves, and after letting them rot the pearls were gathered. *Estiva* in *Soc. Mex. Geog.*, *Bol.*, x., 673-97, adds that he presented the queen with a necklace of alternate round and pear-shaped pearls. About this time the royal fifth is said to have been rented for $12,000 a year. *Alvarado Hist. Cal.*, i., 10. Boegert, *Nachrichten*, 330, doubts this. Toward the close of the last century the fifth was placed at 2 lbs. 3 ozs., fr. 1792–96; other accounts reduced this to 3 lbs. 9 ozs. fr. 1788–97; an amount assigned by some to 1797 alone. *Arch. Cal. Prov. St. P.* xvi. 123, 119; *Ben. Mil.*, xvii., 4–5, 28; xvi., 4–5; xviii., 5.

This system continued till republican times, when with lessened supervision the influx and irregularities threatened to exhaust the beds. By de-

cree of 1857 regulations were accordingly issued for protecting them, such as dividing them into four sections, of which only one could be worked annually, in lots rented for the season to the highest bidders. The first sections extended from Cabo Palmo to San Lorenzo channel, the second embraced La Paz bay and the islands of San José and Espíritu Santo, the third covered the space from the north end of La Paz bay to Coronados island, the fourth from San Marcos island to San Bruno bay, beyond Mulege. Details and rules, in *Soc. Mex. Geog., Bol.*, x. 681–4. Observance has as usual been neglected, but stricter supervision begins to prevail.

Expeditions have till late years been fitted out at Guaymas, each vessel, of from 15 to 30 tons burden, carrying from 30 to 50 divers, usually Yaqui Indians, in charge of an armador. They are, as a rule, paid a certain share of the catch, and frequently kept in debt-bondage by means of advances and supplies. The regular season lasts from July to September. As soon as the vessel had been brought to anchor over an oyster-bed, the divers began their work, which they kept up for two hours in the forenoon and three in the afternoon. Each had a net fastened to his waist for the reception of the oysters, and carried in his hand a short stick, pointed at each end, with which to dislodge his prey from the rocks, and to defend himself from his dreaded enemies, the shark and devil-fish. After the division the oysters were opened to look for pearls, beginning with the owners' share. The camps on shore were the scene of drunkenness, debauchery, and strife, as might be expected from a multitude of savages suddenly freed from restraint, and supplied with everything they desired and could pay for by the unscrupulous traders who attended. The colonial government issued regulations for checking such disorder, and appointed officers to enforce them. *Arch. Cal., Prov. Rec.*, viii. 135–7. They have served as a base for later rules.

SEASON OF 1855.

FISHING DISTRICTS	Armadas in Each District	Number of Divers	Number of Canoes	Number of Boats	No. of Launches	Quintals of Shells taken out	Value of Pearls	Value of Shells	Total Yield	Value of Quintal of unopened Pearl Oysters
La Paz	14	206	31	4	7	4400	$14,000	$ 8,000	$22,500	$5.11
Loreto	1	50	2	0	2	600	2,300	1,200	3,500	5.38
Mulegé	10	112	16	5	2	1900	7,500	4,300	11,800	6.25
Total	25	368	49	9	11	6900	$23,800	$13,500	$37,800	$

EXPENSES OF OUTFIT		PROCEEDS OF YEAR'S BUSINESS	
Cost of Craft	$ 4,900	Sale of Pearls	$23,800
Feeding 368 divers at 12½ cts. per diem 3½ months	6,210	Sale of Shell	14,000
Advances to divers Averaging $16 each	5,888	Return of Craft with value, reduced 25 per cent	3,675
	$16,998		$41,475
		Net Profit	$24,475

In 1856 the business was less, as follows:

Expenses of Outfit		Proceeds for Year	
Cost of Vessels	$ 5,000	Sale of Pearls	$21,750
Support of 305 Divers	4,003	Sale of Shell	7,937
Advances to Divers	4,880	Return of Vessels, reduced in value 25 per cent	3,750
	$13,883		$33,437
		Net Profit	19,554

No mention is made of any of the money advanced to divers being recovered, but as a rule about one-half was saved. The other half was reckoned as a loss in order to secure the diver's services for the next season. Therefore the profits may be said to have been:

In 1855.....$27,421—Capital invested.....$16,998
In 1856..... 21,994— " " 13,883

Esteva, Memoria sobre la Pesca de Perla, in *Soc. Mex. Geog. Bol.*, x., 687–8. Lassepas gives from unofficial sources the yield of pearls during the following years:

In 1854	$17,000	In 1856	$22,500
In 1855	23,800	In 1857	21,750

The same writer estimates that during the 277 years, from 1580 to 1857 inclusive, there were taken from the California waters 1,911,300 quintals of shells, containing 2,770 lbs. of pearls, valued at $5,540,000. *Baja Cal.* 65. See also *Guillemin, Mémoria,* in *Arch. de Com. Scien. du Mex.*, ii. 417–19. The season of 1867 was an unusually poor one, only about $15,000 of pearls and $10,000 of shells being taken. *La Paz Baja Cal.*, Nov. 23, 1867. In 1868 the pearls taken amounted to $49,800, shell, $9,600, without counting the yield of the second season, or conchada, when the divers fish on their own account, after being freed from the regular contracts. This work they keep up till it becomes too cold, and generally obtain about 10 per cent. of the yield of the regular season.

T. F. Pujol, in an article entitled *Estudio Biólogico sobre la ostro aircula Margaritiferus*, which not only gives much scientific information covering the pearl oyster, but is also as exhaustive an account of the pearl-fishery as that by Esteva, places the yield of pearls in 1869 at $62,000, and of shells at $25,000. *Soc. Mex. Geog. Bol.* Epoc. 2, iii., 139.

Recent information concerning the yield is less satisfactory than that furnished in the 6th decade, from which it appears that the average catch in a season returned a net profit of somewhat over $20,000, obtained with an invested capital of about $16,000, and a force of 400 divers divided among two dozen vessels. Traders at La Paz offered about $17.00 per oz. for seed pearls and $1,200 for choice pearls, according to their size, regularity of shape and brilliancy. To improve those which are defective in the latter respects, the Californians caused them to be swallowed by hens, which they kill when suffcient time has elapsed to allow the surface of the pearl to be cleaned and smoothened.

It is only since the middle of the present century that the shells materially swelled the fishing profits, by finding a wider market for the mother-of-pearl. Their proportion of the yield, somewhat over one-half, gave a fresh impulse to the fishery, as it presented an assured profit, which was even calculated to cover all expenses.

Lassepas says that the true nácar or mother-of-pearl is taken from a shell of different form, size, color and fineness from the ordinary pearl-oyster. It is found on the coast above Cape de las Vírgenes, and the remains scattered about the beach at the ensenada of San Felipe de Jesus show that in former

times this shell was collected. *Baja Cal.*, 65. This statement seems borne out by a letter from Arrillaga to the viceroy, dated Oct. 9, 1797, wherein the former announces that in addition to certain pearls he sends 'the shell asked for.' *Arch. Cal. Prov. St. Pap.* xvii., 11. Whatever may have been done in early days, however, it was the shell of the ordinary pearl-oyster which was mainly exported after the trade was revived. This was really about 1830; but it was not until after 1850 that the industry began to assume much importance. The shell exports from 1853 to 1856 are given by Esteva as follows:

1853, 14,000 quintals, sold on land at		$1.33⅓	per quintal.
1854, 21,971	"	1.87½	"
1855, 25,200	"	1.68¾	"
1856, 0,350	"	1.25	"
Cost of placing the shells on board		.25	"
Export duty by decree of April 27, 1855		.25	"

—*Memoria* in *Soc. Mex. Geog. Bol.*, 686.

Lassepas gives figures for the last three of these years which differ slightly from the above, and adds the export for 1857, 4,957 quintals, making the total export of shells from 1854 to 1857, 58,948 quintals, valued at $120,402. *Baja Cal.*, 64.

On the west cost the abalones attract Chinese fishermen.

The other fisheries of the peninsula, whale and seal, did at one time deserve some attention, but are no longer of any importance. The seal and other catch is almost a feature of the past, and the occasional visits of whalers are growing rarer.

About 1854 settlements were formed along the west coast, chiefly by Portuguese, who sought blubber, whalebone, and seal skins, usually for the San Francisco market. According to Taylor, *L. Cal.*, 60, there were at one time 30 camps, employing 2,000 men.

Scammon, writing about 1867, says that between 1858 and 1861 many whalers visited Scammon's lagoon, in 28°, getting there 22,250 pounds of oil, worth $333,750. Now it is abandoned. The same fate has befallen Ballenas bay, where one year eight vessels took 3,500 pounds, and the next year four vessels took 4,700 pounds, worth altogether $123,000. From 1856 to 1861 Magdalena bay yielded 34,425 pounds, worth $516,375, but now it is very poor. The whaling and peltry resources are almost exhausted. *Scammon's Rept. on W. Coast of L. Cal.* in *Browne's L. Cal.*, 123–31.

Notwithstanding the heavy restrictions on foreign goods, in the shape of duty, cost of transport and the profits of numerous middlemen, manufactures are not flourishing in Mexico. From the northern states less is to be expected, with their scanty population and absorbing mining and agricultural interests; yet even here the apathy is striking, which has neglected such ready resources as are offered; for instance, by the iron mountains of Durango, and continued to seek rails from distant and costly sources. Foreigners have appreciated many of the opportunities thus presented, but the insecurity and unreliability prevalent until late have checked enterprise. As it is, manufacturers are confined to a few articles of primary necessity, and such as are easily obtained from rough material at hand, such as powder, sugar, leather, cordage, and wagons; articles for dress extending from coarse cloth to crudely embroidered shawls and hats of felt and straw, soap, common pottery, and cigars. Mazatlan boasts of two iron foundries of recent date, and Durango of one. The Arizona mines and the completion of the Sonora railroad have greatly increased the outlet along the line of Guaymas for flour, wine, and spirits; otherwise none of the articles named are intended for other than local consumption, even the skins exported being sent in unfinished form.

The only manufacture of importance is that of textible fabrics, notably cotton. Yet even this is not sufficient in quantity or quality to prevent the introduction of foreign goods, the duty on which forms the leading revenue. Cotton cloth being made in Mexico by the aborigines, their art readily spread

outward among those natives, who, before the conquest, plaited fabrics from coarser fibres. Nevertheless, the establishment of large factories has been slow, mainly retarded by competition from abroad and from the southern states, and partly by political disorders and causes affecting other sections.

Pike, *Explor.* 353–4, alludes, in 1807, to blankets and coarse cloth made in Chihuahua. The manufacture of mantas declined after the republic gave freer access to foreign goods. *Pap. Var.*, cxiv. pt. v., 12.

Thus Sonora has only one cotton mill, near Hermosillo, the Angeles, of 64 looms. *U. S. Com. Rel.*, 1878, 952. In 1843, shortly after its establishment, it had 54 looms and 2,198 spindles, using 71 quintals of cotton weekly, and producing 57 pieces of cloth. *Mex. Mem. Inst.*, 1844, ap. 5–7. Operations were stopped by war between 1853–63, after which they revived. *Hall's Son.* MS., 54. Later 300 persons were employed, producing 1,000 pieces of cloth per month. Velasco, *Son.*, 83, praises the fine zarapes woven by Yaquis.

Chihuahua boasts of three, which yield monthly some 7,500 pieces of cloth. They are La Industria, Talamantes and Dolores.

Durango has eight, producing some 20,000 pieces, besides thread. They are located, the largest at Durango, two at Nombre de Dios, one at Tumal, two at Cuencamí, one at Papasquiaro, and one at Mapime. *Garemba Merchant*, 58. A mill was proposed already in colonial days, and in 1847 there were five, with 188 looms and 6,362 spindles, producing more than 1,600,000 varas of cloth, and using 75,923 arrobas of cotton and 4,699 of wool. Details in *Esendero Dur.*, 62–3; *Dur. Mem. Gob.*, 1831, 11–14; *Pap. Var.*, xi., pt i., 22, 43–6; *Ramirez, Hist. Dur.*, 54–5.

Sinaloa has three, yielding about 15,000 pieces They are at Mazatlan, Villa Union and Culiacan, the latter the largest, 'que poco mas ó menos cubren las necessidades,' says *Buchua. Comp.Sin.*, 43. With 400 looms and over 6,000 spindles, using 12,000 quintals of raw material. Other details in *Busto. Estadist.*, i., pt· ii.; *U. S. Com. Rel.*, 1879 and other years; *Hernandez Sin.*, 65; *Baja Cal.*, 49–50; *Mex. Mem. Fom.*, *Id. Hac.*, fr. different years.

With the rapid opening of new outlets and markets, the entry of enterprising colonists and the existence of cheap and intelligent labor, with unsurpassed natural resources, it is evident that the growth of manufactures is but a question of time.

As a rich mining country Mexico has ever been a tempting field for commerce. Recognizing this, and jealous concerning so valuable a possession, Spain kept it wholly to herself, isolated from the world. Toward the close of the last century she relaxed slightly in permitting foreign vessels to trade, yet only to a very limited extent.

The war of independence, in severing communication with southern depôts, obliged the frontier states to welcome the forbidden visitors, one result of which was to partially change the centres of distribution along the coast, from inland towns like Hermosillo, Álamos, Culiacan, to sea-ports like Guaymas and Mazatlan. The latter became known in 1818, and was opened to trade by decree of 1821; the former being opened in 1813 as a more distant and needed harbor, the only really good one in the gulf. Mazatlan is only partially sheltered. *Cortes, Diurio*, xviii., 419; *Mex. Col. Dec. y Ord.*, 115; History of Maztlan in *Soc. Mex. Geog., Bol.*, ép. 2, iv., 66 et seq.

Under the republic freedom of trade and use of water routes were limited only by the convenience of the treasury department. All nations were received in intercourse; and although established usage and climatic considerations still maintained the standing of inland towns, the costly mule-trains, which had so far carried freight at immense cost from the interior, had to yield greatly to the increasing traffic by vessels, for foreign captains absorbed also most of the coast trade. In upland territories like Durango they still sustained themselves, but Chihuahua soon changed her sources in part from Tampico and the south, and notably from Matamoros, and opened traffic with the United States in 1824 by means of caravans of wagons, known as prairie schooners, which for many years followed the

Santa Fé route, and subsequently passed through San Antonio and Presidio Del Norte.

This prairie commerce or Santa Fé trade had begun more than a dozen years before with New Mexico, to which history, of my series, I refer the reader. See also *Gregg's Com. Prairies*, ii., etc. The caravans increased in size after 1831, forming usually two score wagons, yet Gregg assumes, 1843, that only one-tenth of the total Chihuahua imports, '$2,000,000 to $3,000,000 in value,' came from the north. Pike, *Explor*, 353, alludes to the heavy cost of overland carriage. Bartlett's *Narr.*, ii., 435; *Niles' Reg.*, lvi., 404, etc.

With greater opportunities for disposing of surplus products came increased demand for comforts and luxuries, and so the trade increased until the custom house record of Guaymas, for the year ending September, 1879, showed imports to the amount of $366,373, of which $127,121 were from the United States, besides some $60,000 worth of machinery, and $239,252 from Europe. The latter embraces chiefly fabrics of cotton, wool, and linen, groceries and provisions, hardware, cutlery, crockery, and fancy goods. The imports from the United States share in all of these articles, equalling the European in groceries and provisions, but falling a little more than half in the other branches, while excelling greatly in mining and agricultural implements and drugs. The groceries and provisions amount in all to about 1,300,000 pounds, hardware and crockery to 616,000 pounds, implements 207,000 pounds, machinery 1,500,000 pounds, iron 94,000 pounds, drugs 94,000 pounds, purfumery 4,400 pounds, fabrics 760,000 sq. m., fancy goods $33,000, besides some lumber, coal, silk, clothing, etc. See consular documents in *U. S. Com. Rel.*, 1879, 439. For the preceding year the imports were $564,799 from the United States, and $390,701 from Europe; of which $288,000 were in fabrics, $275,000 in provisions, $162,000 in hardware, $117,000 in lumber and machinery. In 1855 the imports were assumed to be $1,150,000, of which $150,000 nationalized goods from Sinoloa contributed to yield a total of $176,000 to the custom house, and in 1849 $173,000, while the receipts from imports alone in 1879 were $283,962, and in 1878 $312,000. In 1825, 1827, and 1828 the imports were $56,280 $103,948, and $83,251, respectively. *Prieto, Rentas.*, 308, docs 2–3, 7–10; *Mex. Mem. Hac.*, for the different years; *Lerdo, Mem.*, 108, 558, etc.; *Busto. Estadist*, i., 43–7.

The receipts at Mazatlan for the year ending June, 1879, were much larger, $2,732,500; $1,170,000 being for fabrics, $167,000 for groceries, $136,000 for hardware and $98,000 for machinery, an excess due partly to Mazatlan being the entrepôt for several adjoining sections of the republic, especially Durango, and to the fewer opportunities for smuggling here presented as compared with those offered upon the frontier.

In the other maritime province, Lower California, the imports at La Paz for the same period amounted to $151,950, while those of Chihuahua are but faintly represented by the records of its frontier custom houses, as most of the goods consumed are still obtained from Matamoros and other Mexican points *Busto, Estadist*, 46, places the revenue of the custom houses at Presidio del Norte, El Paso, and Janos for the year ending June, 1878, at $52,899, $42,237 and $787, respectively.

Exports consist chiefly of silver and gold, Sonora sending in 1879 $625,067, nearly half of it coined, and $82,262 in gold, while other articles amounted only to $18,000, two-thirds in hides. At Mazatlan also the export figures of 1879 for $3,370,000 embraced $3,207,000 in silver and gold, while the remainder consisted of ores for $118,680, brazilwood for $19,500 and hides $16,280. The peninsula shows a proportionate gain in the range of her shipments, valued in 1879 at $533,220, whereof $442,924 represent bullion and ore, $5,9704 pearl oyster shells, $23,208 hides, $2,670 orchilla and $1,202 oranges, besides some salt, deer-skin, etc. The salt values are not entered at La Paz; the $2,202 assigned to pearls is evidently unreliable. The $759,094 worth of exports for the preceding year, 1878, ending also in June, embrace

$697,425 gold and silver, $23,745 hides, $18,212 pearl oyster shells, $11,309 orchil, $2,925 salt, $1,500 pearls, $1,232 oranges, $362 gypsum, $317 deer-skins, etc., mostly for the U. S. *U. S. Com. Rel.* and other authorities, *ubi sup.* The totals for the years 1869–76 range from $274,000 to $750,000.

The exports from Chihuahua are placed for the preceding year at $220,860, including a small amount of produce, chiefly live stock and hides, valued in 1879 at $23,506. *U. S. Com. Rel.*, 1879, 429. Of the total in the text, *Busto, Estadist.*, 43, assigns $218,251 to Presidio del Norte, $2,597 to Janos, and only $13 to El Paso. Compare with records for Durango in *Escudero, Dur.*, 64–5; *Ramirez, Hist. Dur.*, 56–7.

The figures given are not only unsatisfactory from the lack of careful statistics, but from the prevalence of smuggling, fostered originally by the illiberal policy of Spain, and subsequently by political disorders and the semi-independent attitude of distant states toward a weak and constantly changing administration. Revolutions were frequently started, especially in Sinaloa and Sonora, with the sole object of introducing cargoes of merchandise at different rates from those fixed by the tariff, the receipts, moreover, being absorbed by the rebels, sometimes under the guise of arrears. A more common practice was for the consignees or captains to bribe the custom house officials for reductions, or for overlooking irregularities. Even honest administrators were induced to close their eyes before the threat to withdraw expected cargoes to other ports, where better arrangements could be effected, perhaps, for clandestinely landing the goods at some remote point, and so deprive a languishing town and state of much-needed funds. The contraband trade between Sonora and Chihuahua and the United States, enormous in extent, is carried on by rich and influential firms and by large bands of organized men.

In addition to the imports of 1879 at Guaymas from the United States, amounting to $127,121, the introduction across the border was estimated at $600,000, mostly smuggled. The facilities in Chihuahua, with its convenient rivers and adjoining Texan border, are even greater.

In addition to the transit of merchandise noted through the leading ports, a proportion has found its way through minor harbors, opened at different times to foreign as well as coast trade, the latter carried greatly in foreign bottoms, under certain restrictions.

Owing to the inconvenience of sending certain effects direct from abroad to minor ports, many are transmitted from Mazatlan, after naturalization, to Sonora and the peninsula. In Sonora, La Libertad is a promising harbor north of Guaymas. Report in *Soc. Mex. Geog., Bol.*, x., 263–70, with plans. At Rio Yacui and below are landing places. Sinaloa boasts of Topolobampo, a prospective terminus; Altata, the port for Culiacan; also, Navachisti, Tamazula, Angeles, and Bacorehuis. Lower Cal. has Todos Santos, Santa Rosalia, San Quentin, San José, Loreto and Mulege, besides La Paz. The movement of shipping at Guaymas, from abroad, in 1879, embraced the arrival and departure of 38 vessels, measuring 17,600 tons, of which 13 were steamers, with a tonnage of 10,500, trading with California. In the preceding year there came 12 steamers and 20 sailing vessels from San Francisco and 5 vessels from Europe, while 179 coasters, with a tonnage of 6,187, entered. At Mazatlan arrived in 1879 97 sailing vessels, with a tonnage of 104,934, and 63 steamers. For the year ending June, 1879, while the Guaymas year counts till September, of the Mazatlan steamers, 25 appear to be coasters, and a few of the vessels performed coasting tours. In 1878, the arrivals and departures embraced 46 steamers and 32 sailing vessels, all from abroad, except 9 steamers. At La Paz arrived 23 steamers, of 21,000 tons, and 13 sailing vessels from San Francisco, and 2 vessels from Europe, in 1879, with a tonnage of 2,487 tons. For the year ending in June, in the preceding year, the sailing vessels numbered 22, with a tonnage of 5,851, 17 being from S. F.

Steam communication between California and Mazatlan was begun with the opening of the Panama route in 1849, and in the second decade following

a California coast line was extended to La Paz and Guaymas, although both proved irregular and with long interruptions. The subsidy granted in 1872, however, brought the shorter line into regular connection with Mazatlan and Cape Lucas until 1875, when the Panamá steamers assumed the grant for a monthly communication.

New contracts of 1877 arranged for a special line between California, Mazatlan, Guaymas, and the Lower California ports, and another from San Blas to the head of the gulf of California—the latter somewhat irregular, despite the subvention of $1,500 per trip, every 18 days, and exemption of 5 per cent export duty on $30,000. The coast line agreed to make ten trips a year for $20,000, with exemption of duty for $20,000. The Panamá line was allowed $25,000 a month. *Mex. Mem. Hac.*, 1880, 435–6. In 1885 the new railroad terminating at Guaymas started a new steamer. *Mex. Financier*, Mar. 7, 1885. See also *Diaz, Informe*, 13–15..

Under the later energetic administration efforts were made to increase not only the native coast shipping, which was so largely absorbed by foreign vessels, but to extend Mexican maritime interests to wider spheres. In 1853–4, Servo claimed for Mazatlan 49 coasting vessels, with a tonnage of 4,534, and 115 boats. *Soc. Mex. Geog., Bol.*, vii, 330–3.

Such had been the neglect hitherto that the first lighthouse on the Pacific coast was not erected until 1880, at Mazatlan.

River navigation is receiving attention, along Rio Bravo, and Rio Yaqui is developing interests that must require a water route. Roads called for larger appropriations so as to permit the extension of wagon traffic, although Mexicans seemed contented with the time-honored mule-trains, which adapted themselves to any locality. In 1863 a stage line was opened in Sinaloa by Americans, and since then several have followed, so that more rapid connection can be had during the summer, even between Guaymas and Mazatlan. In 1819 a monthly mail was ordained for Sonora, and in 1829 the weekly mail between Durango and Chihuahua was increased to a semi-weekly. *Gac. Mex.*, 1820, xi., 128–9; *Arrillaga, Recop.*, 1829, 15, 96; *Mex. Mem. Hac.*, 1848, 130, 1849, no. 15, wherein the Sonora mail expenses are given at $10,204 and the receipts at $12,338. Routes in *Soc. Mex. Geog., Bol.*, v. 293–4. Great hopes now center in the different railroad projects which embrace not only trunk lines, but a series of branches by which to develop hitherto neglected resources. So far, two international lines are completed, the Mexico Central, running from El Paso through Chihuahua and Durango to Mexico, and the Sonora, running from Guaymas through Hermosillo and Magdalena to Nogales on the Arizona frontier. The Sonora railroad was suggested in 1850, *Monteverde Mem. Son.*, MS., 118-24, and concessions sought in 1861, *Pinart, Doc. Son.*, vi., 185, and in 1869, when a Chihuahua connection was proposed. In 1872 the Sonora R. R. Co., *Contracts*, 1–30, was seeking grants and taking other steps. *Ferrocarril de Lon.*, 1–16; *Ramirez, Id.*, 1–8; *Ariz., Jour. Legis.*, 1875, 31. In 1877 a change of holders took place. *Mex. Recop. Leyes*, xxvi., 995–7, 1048–9, xxvii., 600–22, xxxv., 161–209, 1,057–83; *Sonora R. R. Rept.*, 1–10; *Pap. Var.*, cv. In 1854 Chihuahua took up the agitation for a line from Presidio Del Norte to Guaymas, and grants were made to this effect. *Mex. Legis.*, 1854, 100–6. Further steps in *Mex. Col. Leyes*, 1863–67, ii., 203–12; *Ferrocarril, hasta Golfo*, 19–36. Even Lower California has thought of a line near La Paz, and one in the north from S. Diego or Tijuana eastward into Sonora. While many projects are long delayed, they cannot fail to serve, in connection with the lines in operation, as a healthy stimulant to the people so far kept by indolence from a proper enjoyment of the wealth provided by a bountiful nature. Rapid locomotion in itself is an invigorating incentive to enterprise, as in a measure is the rapidly extending telegraph, especially when attended along the railroad line by such striking results as the springing up of settlements, the opening of markets, and the budding and blooming of industries and commerce.

Concerning trade in the republic generally, with account of methods,

banks, custom-houses, tariffs, mails, traffic, canals, roads, railroads, etc., I refer to my chapters in *Hist. Mex.*, iii., vi., this series, which apply equally to the northern states.

James W. Throckmorton, a native of Tennessee, where he was born in 1825, began life as a physician, and for many years won repute in this calling, until inclination prompted him to adopt the profession of law. Removing to what is now Collin county, Texas, in 1841, he was elected 10 years later to the state legislature, being reëlected in 1853 and 1855, and in 1857 was chosen for the senate. During all these years the legislation of the state bears the impress of his tireless efforts, and to none are the people more indebted for the development of her resources. Though a democrat in politics he was opposed to secession, but after the outbreak of the war joined the ranks of the confederates, in which he remained until its close, though at intervals disabled by sickness from active service. In 1866 he was elected governor of the state by a vote of nearly four to one, but though his administration was most satisfactory to the people of the state, he was deposed in the following year. In 1874, and again in 1876, he was chosen for congress, where he served with distinction until March 1879, when he retired into private life. Early in his professional career he was married to Miss Ann Ratten, a native of Illinois, and of their nine children seven still survive.

General Thomas Neville Waul, whose ancestors on both sides took part in the revolutionary struggle, is a native of Statesburg, South Carolina, where he was born in 1813. After receiving his education at one of the best colleges in South Carolina, and studying law at Vicksburg in the office of S. S. Prentiss, he was admitted to practice in the supreme court of Mississippi in 1835, and was soon afterward appointed district attorney. Removing later to New Orleans he took an active part in politics, being a thorough democrat of the states' rights school, and winning for himself a high reputation among his party. After the war broke out he organized what was known as Waul's legion, which he commanded in many hotly contested engagements. At its close he settled in Galveston, where he resumed his profession, and was elected president of the bar association. In 1837 the general married Miss Mary Simmons, a native of Georgia, and in November 1887 celebrated his golden wedding.

One of the most prominent lawyers in Galveston is M. E. Kleberg, a native of De Witt county, whither his parents removed in 1847, and a graduate in law of Washington university, Virginia, of the year 1873. Soon afterward he was elected to the legislature, his district representing nine counties, and at the expiration of his term removed to Austin county, and thence in 1875 to Galveston, where he has ever since enjoyed a large and lucrative practice. Robert Justus Kleberg, the father of this gentleman, was a native of Herstelle, Prussia, where he was born in 1803, and after graduating at the university of Goetingen, filled several judicial appointments. In 1834 he removed to Texas, and after suffering shipwreck on the island of Galveston, reached the settlement of Harrisburg. During Santa Anna's invasion of this country he took an active part in the struggle for Texan independence, and was present at the battle of San Jacinto.

Worthy of mention, also, among the legal fraternity of Galveston is W. F. Mott, a native of Louisiana, where he was born in 1837, his ancestors belonging to one of the oldest southern families. When 15 years of age he obtained employment as a clerk, saving money while in this position to educate himself for his profession. In 1859 he was admitted to the bar, and since that date has enjoyed an extensive practice.

R. S. Willis, a native of Maryland, came to Texas in 1837, being then sixteen years of age. After farming, and engaging in mercantile pursuits in various localities, he finally established himself in Galveston in 1867, and there he has ever since remained, his business expanding with the growth of the city, until his firm is now able to compete with the merchant princes of New Orleans for a share in the trade of the southwest. He is also president of the Texas bank, with which institution he has been for many

years identified. In 1847 he married Miss Worsham, a native of Alabama, by whom he has several children. In the business circles of the Texan capital no man is more highly respected.

Isadore Dyer, a native of Baltimore, where he was born in 1814, and educated at St Mary's college in that city, began life as a watchmaker when fourteen years of age. After being employed as a boatman on the Tennessee river, and later in a store, he came, in 1840, to Galveston, where, after serving for three years as a clerk, he established the business which he still conducts, and which has grown with the growth of the city. He is also a director and ex-president of the national bank, and is identified with the wharf and gas company, and with other enterprises having in view the prosperity of Galveston. In 1842 he married Miss E. Louis, and of their three children two survive.

Gus Reymershoffer, a native of Austria, where he was born in 1860, is well known to the citizens of Galveston in connection with the Texas Star flour-mill, established by himself and his brother in 1878. During the first year the output of the mill amounted to 20,000 barrels, and in 1888 it had increased to 180,000 barrels per annum, most of the product finding a home market, though a considerable quantity was shipped to Louisiana, Mexico, and Central America. Mr Reymershoffer came to Galveston in 1866, and there he has ever since resided. He is also a director of the Lone Star cracker factory, recently organized in that city.

John D. Rogers is a native of Dallas county, Alabama, where his father was a planter. After graduating at a medical college in New Orleans, he began to practise his profession, but removed to Virginia at the outbreak of the war, and there remained until its conclusion. He then came to Texas, and in 1868 commenced business in Galveston, where he has remained ever since. At present he is largely engaged in farming, and is the owner of 5,400 acres of rich land on the river bank, the products being cotton and corn. He has been twice married, and has two sons, one of whom is practising law at Fort Worth, and the other attending the university at Austin.

Among the leading physicians in Galveston is Dr J. F. Y. Paine, a native of Louisiana and a graduate of a medical college in New Orleans. At the outbreak of the war he joined the confederate army as a surgeon and remained until its close, when he began the practice of his profession, first at Mobile, then at Ennis, Texas, and finally at Galveston, whither he removed in 1875, being appointed a professor and afterward dean of the Texas medical college, which position he held until 1881. In 1870 the doctor was married to Miss Estes, a native of Alabama, by whom he has five children.

A. W. Fly, a native of Mississippi, and a descendant of one of the oldest southern families, also ranks among the prominent physicians of Galveston. A graduate of the year 1875 at the medical college at Louisville, he began his professional career at Brian, Texas, removing thence to Galveston, where he has ever since resided.

To the lawyers of Texas and especially of Houston, the name of James A. Baker is familiar as that of the local attorney for the Gould system of railroads. For the past sixteen years he has made corporate law a specialty, and is now the legal representative of companies owning 3,600 miles of road in Texas, besides being himself largely interested in railways. A native of Alabama, where he received his education, Mr Baker came to this state in 1852. Though now a widower, he has been twice married, has five children and seven grandchildren, and considers himself a permanent resident of Houston.

In 1870 James Roane Masterson was appointed judge of the seventh, or as it is now classed, the eleventh judicial district, and to that position he has been four times reëlected. A native of Tennessee, his parents being among the oldest residents of Nashville, he came to Texas with his family in 1839, while still in his infancy. After receiving his education and being trained for the bar, he began the practice of his profession at Houston in 1858. He

served throughout the civil war, being appointed to Gen. Hood's brigade, though never ordered for service beyond the limits of his adopted state.

Another prominent lawyer in Houston is W. P. Hamblen, a native of New Albany, Indiana, where he was born in 1835. Four years later his father removed to Houston, and there the family has ever since resided. Meanwhile Mr Hamblen has seen his adopted town develop from a mere village into a thriving city. Admitted to the bar in 1855 he has good reason to be proud of his professional career, of his various business interests, and of his eleven children, all of whom, except two married daughters, still remain at his home.

Between 1875 and 1885, at which latter date its proprietor retired from active business, the banking house of Henry S. Fox was regarded as one of the soundest financial institutions in Houston. A native of Prussia, where he was born in 1834, Mr Fox came to the United States at the age of sixteen, first to New York, and two years later to Texas. Here he engaged in business at Waco, Corsicana, and other small towns, until 1857, when he removed to Houston, and there established himself as a merchant, and concentrated all his interests. Mr Fox is a widower, and the father of two children who are now being educated in the state of New York. Though now a retired merchant and banker, the care of his ample possessions, which include a large amount of real estate, is sufficient to occupy his leisure.

Samuel Allen, a native of Houston, where he was born in 1843, is nephew to the two brothers of that name who organized and laid out the town of Houston in 1837. Here or in this neighborhood he remained until the war broke out, when he enlisted in the confederate army and served until its close. Returning to his native city, he worked for a salary until 1869, when he engaged in the lumber business in a small way, his capital being less than $1,000. His business now exceeds $1,000,000 a year, and with two others he is the owner of 60,000 acres of Texan timber lands.

Prominent among the merchants of Houston, as a self-made and most reliable business man is Adam Clay, a German by birth, who came with his parents to Houston in 1851. When nine years of age he earned his own livelihood by selling newspapers on the streets, and at fourteen had attained to the dignity of a railroad news-vendor. In this occupation he remained until he was twenty, when, having saved a few hundred dollars, he opened a small dry-goods and notion store. From this slender beginning he has gradually built up his present business, which now ranks among the first in the city.

Among other leading citizens in Houston may be mentioned Samuel M. McAshan, who, since the organization of T. W. House's bank in 1867, has been its cashier. A Virginian by birth, though his ancestors on his father's side were of Scotch descent, and on the mother's French, he came to Texas in 1844, living on a farm in Fayette county until nineteen years of age, when he obtained employment as a clerk in a mercantile house. In 1856 he married Miss Eames, a native of his own state and county, by whom he has two sons and two daughters, his eldest son, now over thirty years of age being assistant cashier in the bank.

One of the earliest settlers at Houston was Col W. R. Baker, a native of New York state, where he was born in 1820. When eight years of age he was put to work on a farm and since that time, as he relates, has always earned his own living. In 1837 he removed to Texas, reaching Houston in August of that year, when the town contained but fifty families. Here he quickly found employment and soon afterward began business for himself. In 1841 he was elected clerk of Harris county, which position he retained for seventeen years. He was a member of the first board of directors, the first secretary, and later the president of the Houston and Texas Central railroad. In 1870 he was chosen state senator for Harris county, and in 1880 mayor of Houston, being twice reëlected to the latter office.

Dr D. F. Stuart, a Virginian by birth, came to Texas in 1850, and after working for several years on a farm, attended the medical college in Philadelphia, where he graduated in 1859. At the outbreak of the war he entered

the confederate army as a surgeon, and served until its conclusion. In 1865 he established himself in Houston, where he is still engaged in the practice of his profession.

One of the oldest residents of Fort Worth is J. F. Ellis, a native of Missouri, who after the death of his father in 1847, came to that settlement while still a young lad, when, as he relates, there were but five white families within a mile of the spot where the city now stands. When fifteen years of age he found employment as a teamster, and soon afterward had teams of his own, remaining in this business until the outbreak of the war, when he joined the confederate service, and remained until its close. In 1865 he returned to Fort Worth, and engaged in ranching, merchandising, banking, land-speculations, etc., until his possessions are now valued at more than $300,000, most of them in real estate, including the Ellis hotel, built in 1885 at a cost of $60,000.

John D. Templeton, a native of Tennessee, where he was born in 1845, came with his parents to Texas in 1850, and there received his education. In 1862 he entered the confederate army, and served until the end of the war. He then studied law under Judge Roberts, formerly chief justice of the state, and was admitted to practice in 1871, commencing his career at Fort Worth, where, in 1887 he still resided. In 1880 he was appointed secretary of state, and two years later elected attorney-general for Texas, being reëlected for the ensuing term.

Dr W. A. Adams is a native of Georgia, where he was born in 1853, graduating in 1876 at a medical college in that state. Removing to Texas immediately afterward, he began to practice at Bryan, where he remained for five years. In 1881 he was offered a partnership by Dr E. J. Beall of Fort Worth, one of the most prominent physicians in the state. This he accepted and has ever since resided in that city, where he still follows his profession. The success of the firm may be judged from the fact that their income for the year 1886 exceeded $34,000

In Dallas, Galveston, and, in fact, throughout the state of Texas, the name of Gen. George F. Alford is familiar, not only as that of a gallant soldier, but of an upright and honorable man of business. A native of Missouri, where he was born in 1837, he ran away from home when thirteen years of age, and after living for two years among the Indians, set forth for California, whence he returned in 1856 with $35,000 in gold, and in the following year married and settled in Texas. At the beginning of the civil war he joined the confederate army, and at its close was mustered out with the rank of brigadier-general. After serving in the state legislature he began business in Galveston, and soon accumulated a large fortune, which he afterward lost through the dishonesty of his partner. Assuming the liabilities of the firm, which amounted in 1875 to $321,000, in less than ten years he paid off the entire amount with one per cent. interest per month. He is now a permanent resident of Dallas, and president of the Dallas, Archer, and Pacific railway.

Among other prominent citizens of Dallas may be mentioned J. E. Henderson, a native of North Carolina, who arrived in 1872, and, as he relates, has witnessed its growth from a village into a thriving city. Ever since that date he has there been engaged in business as a contractor, builder, and land speculator. In his adopted town he has an abiding faith, believing that with its railroad facilities and its situation in the midst of a rich agricultural district, its future is fully assured.

One of the leading medical practitioners in Dallas is Dr R. W. Allen, a Kentuckian by birth and a graduate of the New York Medical college. Coming to Dallas in 1872, when it contained only 4,000 inhabitants, he has remained there ever since, practising his profession and investing his surplus means in real estate, which he believes to be the soundest and most profitable of all investments.

Col J. Gunter, a Georgian by birth, his ancestors on both sides being southerners, came to Texas with his father in 1853. At the outbreak of the

civil war he left his brother's store, where he was employed as a clerk, and enlisted in the confederate army, serving until its close. Between 1866 and 1869 he received his education, at the same time studying law, and was admitted to practice in the latter year. At Sherman he commenced his professional career with a capital of $65; but though very successful, soon found more lucrative employment in surveying and land speculations, whereby he made money rapidly, becoming the owner of 200,000 acres and 13,000 head of cattle. He is also a director and one of the largest stockholders in the City bank of Sherman, and colonel of the 5th regiment of Texas state guards.

Prominent among the lawyers of Sherman is Capt. T. J. Brown, who in 1888 was attorney for the Merchants and Planters' bank of that city, and for the Texas Pacific railroad. A native of Georgia, where he was born in 1826, all of his ancestors being southerners, he came to Texas in 1846, and by hard study and close economy, acquired the training and the means to start in his profession when twenty-seven years of age. He began his practice at McKinney in 1858, and there remained for fourteen years, except for a brief period, when he served in the confederate ranks, though disabled by sickness from protracted service.

One of the foremost citizens of Bosque county, Judge L. H. Scrutchfield, settled there in 1851 and was the first county judge, also holding the offices of county-surveyor, justice of the peace, and notary public. On many occasions he took a prominent part in defending the settlers against the depredations of Indians, and later of the bands of white marauders who infested the state. In 1865 he was present at the engagement at Double creek, in which a body of Texans attacked the stronghold of the Kickapoos, and drove them across the Mexican border. In 1851 the judge married Miss Profitt, by whom he had five children, two of his widowed daughters residing with him at his home at Valley Mills.

Well known among literary circles in Texas is Mrs C. A. Westbrook, a resident of Lorena, and the author of several works that have won more than a local reputation. Among them may be mentioned her *Pilgrim*, a poetical adaptation of Bunyan's famous allegory. To it is appended, under the title of *Fragments*, a number of shorter poems, most of them of a religious character.

Worthy of note as among the most prominent men in San Antonio is Col. Geo. W. Brackenridge, who became a resident of that city in 1851, and has ever since been identified with its leading interests. In 1866 he organized the San Antonio National Bank, of which he was elected the first president and still held that position in 1889. He is also the president and one of the largest stockholders in the city water-works and in its gas company, and is largely interested in lands and cattle.

John Darragh, a native Texan, ranks among the largest owners of real estate in San Antonio, which city he has made his permanent home since 1880, being then in possession of a considerable fortune acquired by inheritance. With the result of his investments he is fully satisfied, and has the utmost confidence in the future of his adopted city.

Charles Hummel, to whom belongs the distinction of being the oldest merchant of San Antonio, where he arrived in 1847, when there were but fifty white people in the settlement, is also a large owner of city property. Among his transactions may be mentioned the purchase of a lot in 1849 for $325, which he afterward sold for $21,000.

By the late John H. Kampmann, a Prussian by birth, and by profession an architect, who came to San Antonio in 1848, were planned and built nearly all the large residences and stores erected in that city between 1849 and 1880. A man of eminent business ability, he was closely identified with a number of enterprises tending to the development of western Texas, where he was also a large land-owner and stock-raiser, and at the time of his decease, in 1885, the possessor of a handsome fortune. His wife, Mrs. Caroline Kampmann, to whom he was married in 1850, is still a resident of San Antonio,

where her eldest son, H. D. Kampmann has succeeded to his father's business and is esteemed as a young man of remarkable promise.

One of the largest lumber merchants in southwestern Texas is A. C. Schryver, president of the San Antonio Fair Association. Arriving in that city from Chicago in 1877, his first year's transactions amounted to $50,000. In 1888 they were considerably over $500,000.

Among the railroad men of Texas should be mentioned the treasurer of the San Antonio and Aransas Pass R. R. Co., A. Hansl, a Viennese by birth, who came to the United States in 1875 and in the following year settled in western Texas, where he engaged in banking and farming, accepting his present position in June, 1888.

At the head of the street railroad system of San Antonio is Col. Augustus Belknap, by whom was built, at the request of the citizens, the first street-car line in that city. In 1882 he was elected a member of the city council, and has since been re-elected in each succeeding year. In 1888, when republican nominee for congress, he reduced by more than one-half the democratic majority returned at the previous election.

Prominent among the sugar-planters of western Texas is Col. Edward H. Cunningham, the owner of a tract of 3,300 acres on Oyster creek, the crop from which sold in 1888 for $280,000. Between 1878 and 1883 he held a contract for the labor of the prisoners at the state penitentiary, whereby he relieved the burden of taxation to the extent of $85,000 a year. Coming to Texas for his health's sake in 1855, he is now a permanent resident of San Antonio, in the future of which city and of western Texas he has the greatest confidence.

Among the many eminent lawyers of San Antonio is Charles W. Ogden, whose father was formerly chief justice of the supreme court of Texas. A Texan by birth, and educated at the military institute at Austin, he began the practice of his profession in 1875. He is now largely interested in an enterprise for deepening the water at the mouth of the Brazos river, a project which will materially add to the prosperity of the southern portion of the state.

Edward Dwyer is also one of the most prominent lawyers in San Antonio, though since the decease of his father, in 1884, his time has been largely occupied in the management of his estate. Mr. Dwyer is descended from one of the oldest families in western Texas, his grandfather being a resident of San Antonio prior to 1840, and in 1844 was elected its mayor. His father was a native of the same city, in the politics of which he played a leading part.

In the ranks of the medical profession at San Antonio none are more highly esteemed than Dr. Amos Graves, the medical director for Texas of the Southern Pacific & San Antonio & Aransas Pass railroads. He came to Texas in 1878, on account of a pulmonary affection, which was cured by a two years' residence on a sheep ranch in western Texas. For such ailments he believes that this section will eventually rank among the leading health resorts of the world.

In this opinion he is indorsed by Dr. F. Herff, also a resident of San Antonio, and whose experience as a medical practitioner in western Texas dates from 1846. Here, as he relates, all diseases appear to assume their mildest form, and in no other atmosphere do wounds heal so rapidly.

In Laredo, on the Rio Grande, one of the leading physicians is A. W. Wilcox, M. D., who, after taking his degree at Galveston, was appointed, in 1874, surgeon of the Mexican National railroad at the former point.

For the same railroad J. P. Flynn was selected as general agent at Laredo in 1884, and in the following year was chosen by President Cleveland as United States consular agent at the town of the same name on the Mexican side of the Rio Grande. In April, 1887, Mr. Flynn resigned both these positions, devoting himself to the organization of the Laredo Improvement Company, of which he was elected and is still the president.

The president of the Laredo Water Company is A. L. McLane, a native of Texas and a lawyer by occupation, who came to that town in 1873, and has ever since engaged in the practice of his profession.

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